

NINETY FOURTH DAY

House Chamber, Olympia, Wednesday, April 17, 2013

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

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Austin Li and Angel Lloyd. The Speaker (Representative Orwall presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Father Joseph Mikel, St. David's of Wales, Shelton, Washington.

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

The Speaker assumed the chair.

POINT OF PERSONAL PRIVILEGE

Representative DeBolt: "Ladies and Gentleman of the House, it is kind of neat to be up here. I've had two firsts; I also got to go to caucus. I just wanted to let you know, you know as you sit here in life and you think about things, as a lot of you know I haven't been feeling very well lately. I was in the hospital and I kind of looked at my life and I thought about my son's sixteenth birthday, which is tomorrow. Happy Birthday Austin. I thought about where I fit in the world and one of the things I do know is that two years ago I had some severe health challenges and now I am going to face some new challenges and I know I'm going to be fine but it is time for me to step aside as the leader of the House Republican Caucus. I just really want you guys to know how much it has meant to me to serve in that area and in that part of my life. This has been a wonderful experience for me. We are going to see how the summer goes and then we will go from there. Each and every one of you holds a special place in the State of Washington. You represent a district and you represent a philosophy and an ideal that you have to hold on to because you represent those people that elected you and sent you here. Each and every one of you has a special gift and a talent and have been lucky enough to be elected to this body and I don't want you to look past that. I'm not leaving, I'm just changing roles for a while, stepping away, going to focus on my family and my health and my other worlds. There is a lot of stresses that come in this building, you guys know them probably better than anybody. The reason I choose to go now is because as I've been home, every time someone makes a decision I get ten texts telling me they made this decision. It is important that we know who is responsible. Joel is going to be stepping in and helping me out. Thank you. Our caucus is in good shape and very strong and I just want you guys to know how much I really appreciate everything and Mr. Speaker, you have been very concerned and very helpful to me as I went through this and you have been a great leader for us and I appreciate you and your compassion. Thank you guys very much as I move forward in a new chapter in my life and I appreciate it Thanks."

Mr. Speaker: "I am at a loss for words Richard. You and I have been through a lot together, a lot of floor battles, in fact I always was very worried whenever Richard would stand and speak

on the floor because I was very jealous frankly, because you can get up and give a great speech and I'm always nervous. In fact, I'm so pleased I haven't given a floor speech in about ten years but I just really have great admiration for you. We have been through a lot, maybe we should write a book together because there are lots of stories we could tell about how great this institution is and how great all the legislators are, but in particular, how great you have been to work with. It is more than just a working relationship, you've been a great friend. Anything we can do, just let us know, I appreciate all the years of service you've given to the State of Washington, to your district, and to all of us. I wish you all the best. Everybody up." (The members of the House rose in honor of Representative DeBolt.)

The Speaker called upon Representative Orwall to preside.

MESSAGE FROM THE SENATE

April 16, 2013

MR. SPEAKER:

The Senate has passed:

SUBSTITUTE HOUSE BILL NO. 1021
HOUSE BILL NO. 1036
SUBSTITUTE HOUSE BILL NO. 1180
SUBSTITUTE HOUSE BILL NO. 1200
HOUSE BILL NO. 1203
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1247
SUBSTITUTE HOUSE BILL NO. 1256
SUBSTITUTE HOUSE BILL NO. 1261
SUBSTITUTE HOUSE BILL NO. 1270
SUBSTITUTE HOUSE BILL NO. 1271
HOUSE BILL NO. 1330
SUBSTITUTE HOUSE BILL NO. 1370
SUBSTITUTE HOUSE BILL NO. 1397
SUBSTITUTE HOUSE BILL NO. 1422
HOUSE BILL NO. 1447
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1480
SUBSTITUTE HOUSE BILL NO. 1498
SUBSTITUTE HOUSE BILL NO. 1499
HOUSE BILL NO. 1534
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1717
HOUSE BILL NO. 1738
SUBSTITUTE HOUSE BILL NO. 1812

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 2033 by Representatives Hawkins, Hunter, Alexander, Bergquist, Hunt and Buys

AN ACT Relating to reducing the costs and inefficiencies in elections by eliminating a requirement to include the full text

of ballot measures in the printed version of voters' pamphlets; amending RCW 29A.32.070; and creating a new section.

Referred to Committee on Appropriations.

HB 2034 by Representatives Ormsby and Reykdal

AN ACT Relating to funding K-12 basic education and higher education by narrowing or eliminating tax preferences.

Referred to Committee on Finance.

HB 2035 by Representatives Ormsby and Reykdal

AN ACT Relating to funding K-12 basic education and higher education by narrowing or eliminating certain state tax exemptions, deductions, credits, and preferential rates.

Referred to Committee on Finance.

HB 2036 by Representatives Carlyle, Hunter, Ormsby, Tharinger, Reykdal and Pollet

AN ACT Relating to investing in the education legacy trust account for K-12 basic education and higher education by narrowing or eliminating tax preferences; amending RCW 82.04.260, 82.08.0293, 82.12.0293, 82.08.0273, 82.04.050, 82.04.4452, 82.63.030, 82.16.050, 82.04.610, 82.12.0263, 82.04.250, 82.04.261, 82.04.334, 82.04.4463, 82.04.460, 82.08.806, 82.45.195, 48.14.080, and 35.102.150; reenacting and amending RCW 82.04.260; adding new sections to chapter 82.08 RCW; adding new sections to chapter 82.12 RCW; adding a new section to chapter 82.16 RCW; adding a new section to chapter 82.32 RCW; repealing RCW 82.04.272; providing effective dates; providing expiration dates; and declaring an emergency.

Referred to Committee on Finance.

HB 2037 by Representatives Carlyle, Hunter, Ormsby and Tharinger

AN ACT Relating to investing in the education legacy trust account for K-12 basic education and higher education by extending the state business and occupation surtax; amending RCW 82.04.29002; providing an effective date; and declaring an emergency.

Referred to Committee on Finance.

HB 2038 by Representatives Carlyle, Hunter, Ormsby, Tharinger, Reykdal and Pollet

AN ACT Relating to investing in the education legacy trust account for K-12 basic education and higher education by narrowing or eliminating tax preferences and extending taxes set to expire; amending RCW 82.04.29002, 82.04.260, 82.08.0293, 82.12.0293, 82.08.0273, 66.24.290, 82.04.050, 82.04.4452, 82.63.030, 82.16.050, 82.04.610, 82.12.0263, 82.04.250, 82.04.261, 82.04.334, 82.04.4463, 82.04.460, 82.08.806, 82.45.195, 48.14.080, and 35.102.150; reenacting and amending RCW 82.04.260; adding new sections to chapter 82.08 RCW; adding new sections to chapter 82.12 RCW; adding a new section to chapter 82.16 RCW; adding a new section to chapter 82.32 RCW; repealing RCW

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

Referred to Committee on Finance.

HB 2039 by Representative Dunshee

AN ACT Relating to funding capital projects.

Referred to Committee on Capital Budget.

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

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

SECOND READING

SUBSTITUTE SENATE BILL NO. 5456, by Senate Committee on Human Services & Corrections (originally sponsored by Senators Schlicher, Becker, Keiser, Bailey, Frockt, Cleveland, Hargrove, Darnelle and McAuliffe)

Concerning detentions under the involuntary treatment act.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Judiciary was adopted. (For Committee amendment, see Journal, Day 80, April 3, 2013).

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

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

MOTION

On motion of Representative Shea, Representative DeBolt was excused.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5456, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5456, as amended by the House, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

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

Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representative DeBolt.

SUBSTITUTE SENATE BILL NO. 5456, as amended by the House, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5182, by Senate Committee on Transportation (originally sponsored by Senators Carrell, Harper, King, Chase, Smith, Eide, Hobbs and Schlicher)

Addressing the disclosure of vehicle owner information.

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 Clibborn and Orcutt spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5182.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5182, and the bill passed the House by the following vote: Yeas, 96; Nays, 1; Absent, 0; Excused, 1.

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

Voting nay: Representative Overstreet.

Excused: Representative DeBolt.

SUBSTITUTE SENATE BILL NO. 5182, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5715, by Senators Hill, Carrell and Hargrove

Addressing the evasion of taxes by the use of certain electronic means.

The bill was read the second time.

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

Representatives Orcutt and Carlyle spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Senate Bill No. 5715.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5715, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Representative DeBolt.

SENATE BILL NO. 5715, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5264, by Senate Committee on Transportation (originally sponsored by Senators Benton, Mullet, Baumgartner and Sheldon)

Concerning the transportation and storage of certain explosive devices.

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 Pedersen and Rodne spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5264.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5264, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins,

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

Excused: Representative DeBolt.

SUBSTITUTE SENATE BILL NO. 5264, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5476, by Senators Hewitt, Keiser, Conway and Holmquist Newbry

Clarifying the employment status of independent contractors in the news business.

The bill was read the second time.

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

Representatives Sells and Manweller spoke in favor of the passage of the bill.

COLLOQUY

Representative Manweller: "Will the Representative from the 38th District yield to a question?"

Representative Sells: "Yes."

Representative Manweller: "Is it the intent of the legislature to expand the minimum wage, unemployment insurance and industrial insurance exemptions for persons performing services in the news business to include delivery persons who distribute or sell newspapers other than to offices, businesses, residences or on the street?"

Representative Sells: "No. With respect to newspaper delivery, the legislature intends solely to clarify and update the law in recognition of current standard news business delivery practices. The legislation is not intended to expand the scope of persons covered by the exemption to include delivery persons who distribute or sell other than to offices, businesses, residences or on the street."

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Senate Bill No. 5476.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5476, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert,

Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representative DeBolt.

SENATE BILL NO. 5476, having received the necessary constitutional majority, was declared passed.

SECOND READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 5681, by Senate Committee on Human Services & Corrections (originally sponsored by Senators Rolfes and Keiser)

Facilitating treatment for persons with co-occurring disorders by requiring development of an integrated rule.

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 Appleton and Schmick spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 5681.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5681, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Representative DeBolt.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5681, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5263, by Senate Committee on Transportation (originally sponsored by Senators Benton and King)

Concerning motorcycles overtaking and passing pedestrians and bicyclists.

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 Fey and Orcutt spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5263.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5263, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Representative DeBolt.

SUBSTITUTE SENATE BILL NO. 5263, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5437, by Senate Committee on Law & Justice (originally sponsored by Senators Padden, Hargrove, Roach, Kline, Sheldon, Pearson and Chase)

Regarding boating safety.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Appropriations Subcommittee on General Government was adopted. (For Committee amendment, see Journal, Day 80, April 3, 2013).

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 Habib, Klippert and Goodman spoke in favor of the passage of the bill.

Representative Condotta spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5437, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5437, as amended by the House, and the bill passed the House by the following vote: Yeas, 84; Nays, 13; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Buys, Chandler, Clibborn, Cody, Crouse, Dahlquist, Fagan, Farrell, Fey, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lias, Lytton, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Orwall, Parker, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Schmick, Seaquist, Sells, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Blake, Carlyle, Condotta, Dunshee, Fitzgibbon, MacEwen, Ormsby, Overstreet, Pike, Sawyer, Scott, Shea and Taylor.

Excused: Representative DeBolt.

SUBSTITUTE SENATE BILL NO. 5437, as amended by the House, having received the necessary constitutional majority, was declared passed.

ENGROSSED SENATE BILL NO. 5099, by Senator Rivers

Concerning fuel usage of publicly owned vehicles, vessels, and construction equipment.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Environment was adopted. (For Committee amendment, see Journal, Day 78, April 1, 2013).

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 Upthegrove and Pike spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Senate Bill No. 5099, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 5099, as amended by the House, and the bill passed the House by the following vote: Yeas, 96; Nays, 1; Absent, 0; Excused, 1.

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

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

Voting nay: Representative Chandler.

Excused: Representative DeBolt.

ENGROSSED SENATE BILL NO. 5099, as amended by the House, having received the necessary constitutional majority, was declared passed.

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

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5078, by Senate Committee on Ways & Means (originally sponsored by Senators Ericksen, Smith, Hatfield, Baumgartner, Chase and Shin)

Modifying the property tax exemption for nonprofit fairs.

The bill was read the second time.

Representative Reykdal moved the adoption of amendment (452).

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 49.44 RCW to read as follows:

(1) An employer may not:

(a) Request, require, or otherwise coerce an employee or applicant to disclose login information for the employee's or applicant's personal social networking account;

(b) Request, require, or otherwise coerce an employee or applicant to access his or her personal social networking account in the employer's presence in a manner that enables the employer to observe the contents of the account;

(c) Compel or coerce an employee or applicant to add a person, including the employer, to the list of contacts associated with the employee's or applicant's personal social networking account;

(d) Request, require, or cause an employee or applicant to alter the settings on his or her personal social networking account that affect a third party's ability to view the contents of the account; or

(e) Take adverse action against an employee or applicant because the employee or applicant refuses to disclose his or her login information, access his or her personal social networking account in the employer's presence, add a person to the list of contacts associated with his or her personal social networking account, or alter the settings on his or her personal social networking account that affect a third party's ability to view the contents of the account.

(2) This section does not apply to an employer's request or requirement that an employee share content from his or her personal social networking account if the following conditions are met:

(a) The employer requests or requires the content to make a factual determination in the course of conducting an investigation;

(b) The employer undertakes the investigation in response to receipt of information about the employee's activity on his or her personal social networking account;

(c) The purpose of the investigation is to: (i) Ensure compliance with applicable laws, regulatory requirements, or prohibitions against work-related employee misconduct; or (ii) investigate an allegation of unauthorized transfer of an employer's proprietary information, confidential information, or financial data to the employee's personal social networking account; and

(d) The employer does not request or require the employee to provide his or her login information.

(3) This section does not:

(a) Apply to a social network, intranet, or other technology platform that is intended primarily to facilitate work-related information exchange, collaboration, or communication by employees or other workers;

(b) Prohibit an employer from requesting or requiring an employee to disclose login information for access to: (i) An account or service provided by virtue of the employee's employment relationship with the employer; or (ii) an electronic communications device or online account paid for or supplied by the employer;

(c) Prohibit an employer from enforcing existing personnel policies that do not conflict with this section; or

(d) Prevent an employer from complying with the requirements of state or federal statutes, rules or regulations, case law, or rules of self-regulatory organizations.

(4) If, through the use of an employer-provided electronic communications device or an electronic device or program that monitors an employer's network, an employer inadvertently receives an employee's login information, the employer is not liable for possessing the information but may not use the login information to access the employee's personal social networking account.

(5)(a) An employee or applicant aggrieved by a violation of this section may file a complaint with the department of labor and industries. The department shall investigate the complaint and, if the investigation indicates that a violation may have occurred, hold a hearing in accordance with chapter 34.05 RCW. A finding pursuant to the procedure set forth in this subsection constitutes an exhaustion of administrative remedies.

(b) The department may adopt rules to implement this section, including a rule regarding penalties for violation of this section. Any penalty established by the department for violation of this section may not exceed one thousand dollars for the first violation and five thousand dollars for each subsequent violation.

(6) For the purposes of this section:

(a) "Adverse action" means: discharging, disciplining, or otherwise penalizing an employee; threatening to discharge, discipline, or otherwise penalize an employee; and failing or refusing to hire an applicant.

(b) "Applicant" means an applicant for employment.

(c) "Electronic communications device" means a device that uses electronic signals to create, transmit, and receive information, including computers, telephones, personal digital assistants, and other similar devices.

(d) "Employer" means any person, firm, corporation, partnership, business trust, legal representative, or other business entity which engages in any business, industry, profession, or other activity in this state and employs one or more employees, and includes the state, any state institution, state agency, political subdivisions of the state, and any municipal corporation or quasi-municipal corporation. "Employer" includes an agent, a representative, or a designee of the employer.

(e) "Login information" means a user name and password, a password, or other means of authentication that protects access to a personal social networking account.

NEW SECTION. Sec. 2. The sum of twenty-three thousand sixty-four dollars, or as much thereof as may be necessary, is appropriated for the fiscal year ending June 30, 2014, from the general fund to the department of labor and industries for the purposes of this act.

NEW SECTION. Sec. 3. This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately."

Correct the title.

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

Amendment (452) 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 Sells and Manweller 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. 5211, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5211, as amended by the House, and the bill passed the House by the following vote: Yeas, 86; Nays, 10; Absent, 0; Excused, 2.

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

Voting nay: Representatives Appleton, Fitzgibbon, Jinkins, Morrell, Ormsby, Reykdal, Roberts, Ryu, Tharinger and Van De Wege.

Excused: Representatives DeBolt and Hope.

SUBSTITUTE SENATE BILL NO. 5211, as amended by the House, having received the necessary constitutional majority, was declared passed.

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5078, by Senate Committee on Ways & Means (originally sponsored by Senators Ericksen, Smith, Hatfield, Baumgartner, Chase and Shin)

Modifying the property tax exemption for nonprofit fairs.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Finance was adopted. (For Committee amendment, see Journal, Day 86, April 9, 2013).

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 Buys and Carlyle spoke in favor of the passage of the bill.

Representative Reykdal spoke against the passage of the bill.

MOTION

On motion of Representative Harris, Representative Hope was excused.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Second Substitute Senate Bill No. 5078, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 5078, as amended by the House, and the bill passed the House by the following vote: Yeas, 86; Nays, 10; Absent, 0; Excused, 2.

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

Voting nay: Representatives Appleton, Fitzgibbon, Jinkins, Morrell, Ormsby, Reykdal, Roberts, Ryu, Tharinger and Van De Wege.

Excused: Representatives DeBolt and Hope.

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5078, as amended by the House, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5002, by Senate Committee on Governmental Operations (originally sponsored by Senators Honeyford, Fraser and Ericksen)

Concerning mosquito control districts.

The bill was read the second time.

Representative Taylor moved the adoption of amendment (436).

On page 2, line 3, after "(5)" insert "(a)"

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

"(b) The following provisions govern entry upon lands adjacent to lands within the district for the purposes specified in (a) of this subsection:

(i) A district must give prior written notice to the property owner of the intent to enter upon the land;

(ii) A district may not enter upon the land without the property owner's consent; and

(iii) RCW 17.28.250 does not apply to a district's entry upon or performance of work on any lands adjacent to lands within the district."

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

Representative Takko spoke against the adoption of the amendment.

Amendment (436) was not adopted.

Representative Takko moved the adoption of amendment (453).

On page 2, line 3, after "(5)" insert "(a)"

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

"(b) For land adjacent to land within the district, a district must give prior written notice to the property owner of the district's intent to enter upon the land for the purposes specified in (a) of this subsection."

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

Amendment (453) was adopted.

Representative Taylor moved the adoption of amendment (437).

On page 2, after line 31, insert the following:

"**NEW SECTION. Sec. 2.** RCW 17.28.250 (Interference with entry or work of district - Penalty) and 2011 c 336 s 467, & 1957 c 153 s 25 are each repealed."

Correct the title.

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

Representative Takko spoke against the adoption of the amendment.

Amendment (437) was not 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 Takko and Warnick spoke in favor of the passage of the bill.

Representative Taylor spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5002, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5002, as amended by the House, and the bill passed the House by the following vote: Yeas, 60; Nays, 37; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Carlyle, Chandler, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Hansen, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Liias, Lytton, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Riccelli, Roberts, Ryu, Santos, Sawyer, Seaquist, Sells, Springer, Stanford, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Walsh, Warnick, Wylie and Mr. Speaker.

Voting nay: Representatives Alexander, Angel, Buys, Condotta, Crouse, Dahlquist, Fagan, Haler, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Klippert, Kochmar, Kretz, Kristiansen, MacEwen, Magendanz, Overstreet, Parker, Pike, Reykdal, Rodne, Ross, Schmick, Scott, Shea, Short, Smith, Stonier, Taylor, Van De Wege, Vick, Wilcox and Zeiger.

Excused: Representative DeBolt.

SUBSTITUTE SENATE BILL NO. 5002, as amended by the House, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5052, by Senators Ericksen, Ranker, Shin, Padden and Kohl-Welles

Increasing the number of superior court judges in Whatcom county.

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 Lytton and Buys spoke in favor of the passage of the bill.

Representative Shea spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Senate Bill No. 5052.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5052, and the bill passed the House by the following vote: Yeas, 91; Nays, 6; Absent, 0; Excused, 1.

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

Voting nay: Representatives Condotta, MacEwen, Pike, Scott, Shea and Taylor.

Excused: Representative DeBolt.

SENATE BILL NO. 5052, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5092, by Senators Benton, Shin, Braun, Roach and Honeyford

Providing an exemption from continuing competency requirements for registered nurses who seek advanced nursing degrees.

The bill was read the second time.

ROLL CALL

There being no objection, the committee amendment by the Committee on Health Care & Wellness was adopted. (For Committee amendment, see Journal, Day 78, April 1, 2013).

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Senate Bill No. 5092, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5092, as amended by the House, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Representative DeBolt.

SENATE BILL NO. 5092, as amended by the House, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5297, by Senators Braun, Ericksen and Carrell

Concerning coal transition power.

The bill was read the second time.

With the consent of the house, amendment (455) was withdrawn.

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

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

Representative Hudgins spoke against 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. 5297.

The Clerk called the roll on the final passage of Senate Bill No. 5297, and the bill passed the House by the following vote: Yeas, 83; Nays, 14; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Fagan, Fey, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hunt, Hunter, Hurst, Jinkins, Johnson, Kirby, Klippert, Kochmar, Kretz, Kristiansen, MacEwen, Magendanz, Manweller, McCoy, Moeller, Morrell, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Overstreet, Parker, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Dunshee, Farrell, Fitzgibbon, Freeman, Goodman, Hudgins, Kagi, Liias, Lytton, Maxwell, Morris, Orwall, Pedersen and Tarleton.

Excused: Representative DeBolt.

SENATE BILL NO. 5297, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5705, by Senate Committee on Governmental Operations (originally sponsored by Senators Brown, King and Hatfield)

Concerning amounts received by taxing districts from property tax refunds and abatements.

The bill was read the second time.

Representative Carlyle moved the adoption of amendment (454).

On page 2, after line 3, insert the following:

"NEW SECTION. Sec. 2. The legislature finds that it is difficult for many property owners to pay property taxes under the current system where past due property tax payments must be paid in full, including penalties and interest. The legislature further finds that providing counties and property owners some flexibility in structuring past due property tax payments may provide some relief for property owners with delinquent tax payments.

Sec. 3. RCW 84.56.020 and 2010 c 200 s 1 are each amended to read as follows:

(1) The county treasurer must be the receiver and collector of all taxes extended upon the tax rolls of the county, whether levied for state, county, school, bridge, road, municipal or other purposes, and also of all fines, forfeitures or penalties received by any person or officer for the use of his or her county. No treasurer may accept tax payments or issue receipts for the same until the treasurer has completed the tax roll for the current year's collection and provided notification of the completion of the roll. Notification may be accomplished electronically, by posting a notice in the office, or through other written communication as determined by the treasurer. All taxes upon real and personal property made payable by the provisions of this title are due and payable to the treasurer on or before the thirtieth day of April and, except as provided in this section, shall be delinquent after that date.

(2) Each tax statement must include a notice that checks for payment of taxes may be made payable to "Treasurer of County" or other appropriate office, but tax statements may not include any suggestion that checks may be made payable to the name

of the individual holding the office of treasurer nor any other individual.

(3) When the total amount of tax or special assessments on personal property or on any lot, block or tract of real property payable by one person is fifty dollars or more, and if one-half of such tax be paid on or before the thirtieth day of April, the remainder of such tax is due and payable on or before the thirty-first day of October following and shall be delinquent after that date.

(4) When the total amount of tax or special assessments on any lot, block or tract of real property or on any mobile home payable by one person is fifty dollars or more, and if one-half of such tax be paid after the thirtieth day of April but before the thirty-first day of October, together with the applicable interest and penalty on the full amount of tax payable for that year, the remainder of such tax is due and payable on or before the thirty-first day of October following and is delinquent after that date.

(5) Except as provided in (c) of this subsection, delinquent taxes under this section are subject to interest at the rate of twelve percent per annum computed on a monthly basis on the full year amount of tax unpaid from the date of delinquency until paid. Interest must be calculated at the rate in effect at the time of payment of the tax, regardless of when the taxes were first delinquent. In addition, delinquent taxes under this section are subject to penalties as follows:

(a) A penalty of three percent of the full year amount of tax unpaid is assessed on the tax delinquent on June 1st of the year in which the tax is due.

(b) An additional penalty of eight percent is assessed on the amount of tax delinquent on December 1st of the year in which the tax is due.

(c) If a taxpayer is successfully participating in a payment agreement under subsection (11)(b) of this section, the county treasurer may not assess additional penalties on delinquent taxes that are included within the payment agreement. Interest and penalties that have been assessed prior to the payment agreement remain due and payable as provided in the payment agreement.

(6)(a) When real property taxes become delinquent and prior to the filing of the certificate of delinquency, the treasurer is authorized to assess and collect tax foreclosure avoidance costs.

(b) For the purposes of this section, "tax foreclosure avoidance costs" means those costs that can be identified specifically with the administration of properties subject to and prior to foreclosure. Tax foreclosure avoidance costs include:

(i) Compensation of employees for the time devoted and identified specifically to administering the avoidance of property foreclosure; and

(ii) The cost of materials, services, or equipment acquired, consumed, or expended specifically for the purpose of administering tax foreclosure avoidance prior to the filing of a certificate of delinquency.

(c) When tax foreclosure avoidance costs are collected, the tax foreclosure avoidance costs must be credited to the county treasurer service fund account, except as otherwise directed.

(d) For purposes of chapter 84.64 RCW, any taxes, interest, or penalties deemed delinquent under this section remain delinquent until such time as all taxes, interest, and penalties for the tax year in which the taxes were first due and payable have been paid in full.

(7) Subsection (5) of this section notwithstanding, no interest or penalties may be assessed during any period of armed conflict on delinquent taxes imposed on the personal residences owned by active duty military personnel who are participating as part of one of the branches of the military involved in the conflict and assigned to a duty station outside the territorial boundaries of the United States.

~~((7))~~ (8) During a state of emergency declared under RCW 43.06.010(12), the county treasurer, on his or her own motion or at the request of any taxpayer affected by the emergency, may grant

extensions of the due date of any taxes payable under this section as the treasurer deems proper.

~~((8))~~ (9) For purposes of this chapter, "interest" means both interest and penalties.

~~((9))~~ (10) All collections of interest on delinquent taxes must be credited to the county current expense fund; but the cost of foreclosure and sale of real property, and the fees and costs of distraint and sale of personal property, for delinquent taxes, must, when collected, be credited to the operation and maintenance fund of the county treasurer prosecuting the foreclosure or distraint or sale; and must be used by the county treasurer as a revolving fund to defray the cost of further foreclosure, distraint and sale for delinquent taxes without regard to budget limitations.

~~((10))~~ (11)(a) For purposes of this chapter, and in accordance with this section and RCW 36.29.190, the treasurer may collect taxes, assessments, fees, rates, interest, and charges by electronic bill presentment and payment. Electronic bill presentment and payment may be utilized as an option by the taxpayer, but the treasurer may not require the use of electronic bill presentment and payment. Electronic bill presentment and payment may be on a monthly or other periodic basis as the treasurer deems proper for ~~((prepayments))~~ delinquent tax year payments only or for prepayments of current tax. All prepayments must be paid in full by the due date specified in (c) of this subsection. Payments on past due taxes must include collection of the oldest delinquent year, which includes interest and taxes within a twelve-month period, prior to filing a certificate of delinquency under chapter 84.64 RCW or distraint pursuant to RCW 84.56.070.

(b) The treasurer must provide, by electronic means or otherwise, a payment agreement that ~~((may include prepayment collection charges. The payment agreement must be signed by the taxpayer and treasurer prior to the sending of an electronic bill))~~ provides for payment of current year taxes, inclusive of prepayment collection charges. The treasurer may provide, by electronic means or otherwise, a payment agreement for payment of past due delinquencies, which must also require current year taxes to be paid timely. The payment agreement must be signed by the taxpayer and treasurer prior to the sending of an electronic or alternative bill, which includes a payment plan for current year taxes.

(c) All taxes upon real and personal property made payable by the provisions of this title are due and payable to the treasurer on or before the thirtieth day of April and are delinquent after that date. The remainder of the tax is due and payable on or before the thirty-first day of October following and is delinquent after that date. All other assessments, fees, rates, and charges are delinquent after the due date.

(d) A county treasurer may authorize payment of past due property taxes, penalties, and interest under this chapter by electronic funds transfer payments on a monthly basis. Monthly payments must first be applied to penalties and interest. Delinquent taxes are subject to interest and penalties, as provided in subsection (5) of this section.

(e) The treasurer must pay any collection costs, investment earnings, or both on past due payments or prepayments to the credit of a county treasurer service fund account to be created and used only for the payment of expenses incurred by the treasurer, without limitation, in administering the system for collecting prepayments.

~~((11))~~ (12) For purposes of this section unless the context clearly requires otherwise, the following definitions apply:

(a) "Electronic bill presentment and payment" means statements, invoices, or bills that are created, delivered, and paid using the internet. The term includes an automatic electronic payment from a person's checking account, debit account, or credit card.

(b) "Internet" has the same meaning as provided in RCW 19.270.010.

Sec. 4. RCW 84.56.070 and 2009 c 350 s 2 are each amended to read as follows:

(1) The county treasurer (~~shall~~) must proceed to collect all personal property taxes after first completing the tax roll for the current year's collection.

(2) The treasurer (~~shall~~) must give notice by mail to all persons charged with personal property taxes, and if such taxes are not paid before they become delinquent, the treasurer (~~shall forthwith proceed to collect the same~~) must commence delinquent collection efforts. A delinquent collection charge for costs incurred by the treasurer must be added to the account.

(3) In the event that (~~he or she~~) the treasurer is unable to collect the (~~same~~) taxes when due under this section, the treasurer (~~shall~~) must prepare papers in distraint, which (~~shall~~) must contain a description of the personal property, the amount of taxes, the amount of the accrued interest at the rate provided by law from the date of delinquency, and the name of the owner or reputed owner.

(a) The treasurer (~~shall~~) must without demand or notice distraint sufficient goods and chattels belonging to the person charged with such taxes to pay the same, with interest at the rate provided by law from the date of delinquency, together with all accruing costs, and (~~shall~~) must proceed to advertise the same by posting written notices in three public places in the county in which such property has been distrained, one of which places (~~shall~~) must be at the county courthouse, such notice to state the time when and place where such property will be sold.

(b) The county treasurer, or the treasurer's deputy, (~~shall~~) must tax the same fees for making the distraint and sale of goods and chattels for the payment of taxes as are allowed by law to sheriffs for making levy and sale of property on execution; traveling fees to be computed from the county seat of the county to the place of making distraint.

(c) If the taxes for which such property is distrained, and the interest and costs accruing thereon, are not paid before the date appointed for such sale, which (~~shall be~~) may not be less than ten days after the taking of such property, such treasurer or treasurer's designee (~~shall~~) must proceed to sell such property at public auction, or so much thereof as (~~shall be~~) is sufficient to pay such taxes, with interest and costs, and if there be any excess of money arising from the sale of any personal property, the treasurer (~~shall~~) must pay such excess less any cost of the auction to the owner of the property so sold or to his or her legal representative(~~(= PROVIDED, That whenever it shall become)~~).

(d) If necessary to distraint any standing timber owned separately from the ownership of the land upon which the same may stand, or any fish trap, pound net, reef net, set net, or drag seine fishing location, or any other personal property as the treasurer (~~shall~~) determines to be incapable or reasonably impracticable of manual delivery, it (~~shall be~~) is deemed to have been distrained and taken into possession when the treasurer (~~shall have~~) has, at least thirty days before the date fixed for the sale thereof, filed with the auditor of the county wherein such property is located a notice in writing reciting that the treasurer has distrained such property, describing it, giving the name of the owner or reputed owner, the amount of the tax due, with interest, and the time and place of sale(~~(:)~~). A copy of the notice (~~shall~~) must also be sent to the owner or reputed owner at his or her last known address, by registered letter at least thirty days prior to the date of sale(~~(= AND PROVIDED FURTHER, That)~~).

(e) If the county treasurer has reasonable grounds to believe that any personal property, including mobile homes, manufactured homes, or park model trailers, upon which taxes have been levied, but not paid, is about to be removed from the county where the same has been assessed, or is about to be destroyed, sold, or disposed of, the county treasurer may demand such taxes, without the notice provided for in this section, and if necessary may (~~forthwith~~) distraint sufficient goods and chattels to pay the same."

Correct the title.

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

Amendment (454) 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 Carlyle and Nealey spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5705, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5705, as amended by the House, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Representative DeBolt.

SUBSTITUTE SENATE BILL NO. 5705, as amended by the House, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5748, by Senator Roach

Extending contribution limits to candidates for public hospital district boards of commissioners.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Government Operations & Elections was adopted. (For Committee amendment, see Journal, Day 80, April 3, 2013).

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 Hunt and Buys spoke in favor of the passage of the bill.

Representative Maxwell spoke against 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. 5748, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5748, as amended by the House, and the bill passed the House by the following vote: Yeas, 82; Nays, 15; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Blake, Buys, Carlyle, Clibborn, Cody, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, McCoy, Moeller, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Bergquist, Chandler, Condotta, Crouse, Goodman, Jinkins, Maxwell, Morrell, Overstreet, Pike, Roberts, Scott, Shea, Taylor and Van De Wege.

Excused: Representative DeBolt.

SENATE BILL NO. 5748, as amended by the House, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 17, 2013

MR. SPEAKER:

The President has signed:

HOUSE BILL NO. 1006
 HOUSE BILL NO. 1108
 HOUSE BILL NO. 1124
 SUBSTITUTE HOUSE BILL NO. 1141
 HOUSE BILL NO. 1148
 HOUSE BILL NO. 1154
 HOUSE BILL NO. 1175
 SUBSTITUTE HOUSE BILL NO. 1192
 SUBSTITUTE HOUSE BILL NO. 1327
 HOUSE BILL NO. 1351
 ENGROSSED HOUSE BILL NO. 1400
 HOUSE BILL NO. 1404
 SUBSTITUTE HOUSE BILL NO. 1435
 SUBSTITUTE HOUSE BILL NO. 1512
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1515
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1524
 ENGROSSED HOUSE BILL NO. 1677
 SUBSTITUTE HOUSE BILL NO. 1752
 SUBSTITUTE HOUSE BILL NO. 1853
 HOUSE BILL NO. 1903
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1944

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

SECOND READING

SUBSTITUTE SENATE BILL NO. 5256, by Senate Committee on Law & Justice (originally sponsored by Senators Padden and Baumgartner)

Concerning the confidentiality of certain autopsy and postmortem reports and records.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Judiciary was adopted. (For Committee amendment, see Journal, Day 80, April 3, 2013).

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

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

MOTION

On motion of Representative Holy, Representative Crouse was excused.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5256, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5256, as amended by the House, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Representatives Crouse and DeBolt.

SUBSTITUTE SENATE BILL NO. 5256, as amended by the House, having received the necessary constitutional majority, was declared passed.

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

There being no objection, the bills listed on the day's floor calendar were returned to the Committee on Rules for second reading:

SENATE BILL NO. 5097
 SUBSTITUTE SENATE JOINT MEMORIAL NO. 8007
 SENATE BILL NO. 5606
 SENATE BILL NO. 5059
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5118
 ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5680
 SENATE BILL NO. 5787
 SUBSTITUTE SENATE BILL NO. 5010
 SENATE BILL NO. 5083
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5176
 SUBSTITUTE SENATE BILL NO. 5381
 SUBSTITUTE SENATE BILL NO. 5760

SENATE BILL NO. 5775
SUBSTITUTE SENATE BILL NO. 5031
ENGROSSED SENATE BILL NO. 5048
SUBSTITUTE SENATE BILL NO. 5123
SENATE BILL NO. 5824

There being no objection, the House adjourned until 1:30 p.m.,
April 18, 2013, the 95th Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

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

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Messages	10
1021-S	
Messages	1
1036	
Messages	1
1108	
Messages	10
1124	
Messages	10
1141-S	
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Messages	10
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Messages	10
1180-S	
Messages	1
1192-S	
Messages	10
1200-S	
Messages	1
1203	
Messages	1
1247-S	
Messages	1
1256-S	
Messages	1
1261-S	
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1270-S	
Messages	1
1271-S	
Messages	1
1327-S	
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Messages	10
1370-S	
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1397-S	
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1400	
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1404	
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1422-S	
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1435-S	
Messages	10
1447	
Messages	1
1480-S	
Messages	1
1498-S	
Messages	1
1499-S	
Messages	1
1512-S	
Messages	10
1515-S	

Messages	10
1524-S	
Messages	10
1534	
Messages	1
1677	
Messages	10
1717-S	
Messages	1
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1812-S	
Messages	1
1853-S	
Messages	10
1903	
Messages	10
1944-S	
Messages	10
2033	
Introduction & 1st Reading	1
2034	
Introduction & 1st Reading	2
2035	
Introduction & 1st Reading	2
2036	
Introduction & 1st Reading	2
2037	
Introduction & 1st Reading	2
2038	
Introduction & 1st Reading	2
2039	
Introduction & 1st Reading	2
5002-S	
Second Reading	6
Amendment Offered	6
Third Reading Final Passage	7
5010-S	
Other Action	11
5031-S	
Other Action	11
5048	
Other Action	11
5052	
Second Reading	7
Third Reading Final Passage	7
5059	
Other Action	11
5078-S2	
Second Reading	5, 6
Amendment Offered	5
Third Reading Final Passage	6
5083	
Other Action	11
5092	
Second Reading	8
Third Reading Final Passage	8
5097	
Other Action	11
5099	
Second Reading	5
Third Reading Final Passage	5
5118-S	
Other Action	11

5123-S	Other Action.....	11
5176-S	Other Action.....	11
5182-S	Second Reading.....	3
	Third Reading Final Passage.....	3
5256-S	Second Reading.....	10
	Third Reading Final Passage.....	11
5263-S	Second Reading.....	4
	Third Reading Final Passage.....	4
5264-S	Second Reading.....	3
	Third Reading Final Passage.....	3
5297	Second Reading.....	8
	Third Reading Final Passage.....	8
5381-S	Other Action.....	11
5437-S	Second Reading.....	4
	Third Reading Final Passage.....	5
5456-S	Second Reading.....	2
	Third Reading Final Passage.....	3
5476	Second Reading.....	3
	Third Reading Final Passage.....	4
5606	Other Action.....	11
5680-S2	Other Action.....	11
5681-S	Second Reading.....	4
	Third Reading Final Passage.....	4
5705-S	Second Reading.....	8
	Amendment Offered.....	8
	Third Reading Final Passage.....	10
5715	Second Reading.....	3
	Third Reading Final Passage.....	3
5748	Second Reading.....	10
	Third Reading Final Passage.....	10
5760-S	Other Action.....	11
5775	Other Action.....	11
5787	Other Action.....	11
5824	Other Action.....	11
8007-S	Other Action.....	11
HOUSE OF REPRESENTATIVES		
	Personal Privilege, Representative DeBolt.....	1