

SIXTIETH LEGISLATURE - REGULAR SESSION

SIXTY SECOND DAY

House Chamber, Olympia, Saturday, March 10, 2007

The House was called to order at 10:00 a.m. by the Speaker (Representative Lovick 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 Ron Finley and Jill Rosenblum. The Speaker (Representative Lovick presiding) led the Chamber in the Pledge of Allegiance. Prayer was offered by Representative Dave Quall.

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

MESSAGE FROM THE SENATE

March 9, 2007

Mr. Speaker:

The Senate has passed:

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5813,

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5841,

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5930,

and the same are herewith transmitted.

Brad Hendrickson, Deputy Secretary

INTRODUCTION & FIRST READING

ESSB 5037 by Senate Committee on Transportation (originally sponsored by Senators Eide, Weinstein, Murray, Berkey, Regala, Rockefeller, Kauffman, Keiser, Spanel, Jacobsen and Kohl-Welles)

AN ACT Relating to the use of a wireless communications device while operating a moving motor vehicle; adding a new section to chapter 46.61 RCW; creating a new section; prescribing penalties; and providing an effective date.

Referred to Committee on Transportation.

SSB 5039 by Senate Committee on Financial Institutions & Insurance (originally sponsored by Senators Eide, Murray, Marr, Shin, Rockefeller, Weinstein, Rasmussen, Kauffman, Keiser, Jacobsen, Haugen and Kohl-Welles)

AN ACT Relating to the investment of scholarship endowment funds; amending RCW 28B.108.060 and

28B.116.060; and adding a new section to chapter 28B.76 RCW.

Referred to Committee on Insurance, Financial Services & Consumer Protection.

SSB 5052 by Senate Committee on Financial Institutions & Insurance (originally sponsored by Senators Eide, Roach, Franklin, Hobbs, Fairley, Kastama, Prentice, Jacobsen, Shin and Parlette)

AN ACT Relating to auto glass repair and third party administrators; and adding a new section to chapter 48.30 RCW.

Referred to Committee on Insurance, Financial Services & Consumer Protection.

SSB 5108 by Senate Committee on Agriculture & Rural Economic Development (originally sponsored by Senators Haugen, Rasmussen, Jacobsen, Shin, Spanel, Swecker, Brandland, Hatfield and Parlette)

AN ACT Relating to farmland preservation; adding a new chapter to Title 89 RCW; and providing an expiration date.

Referred to Committee on Agriculture & Natural Resources.

SB 5113 by Senators Schoesler, Rasmussen, Holmquist, Clements, Morton, Hatfield and Pridmore

AN ACT Relating to barley straw for water clarification; and adding a new section to chapter 90.48 RCW.

Referred to Committee on Agriculture & Natural Resources.

SSB 5118 by Senate Committee on Labor, Commerce, Research & Development (originally sponsored by Senators Kohl-Welles, Brandland, Keiser, Murray, Prentice, McAuliffe, Marr and Shin)

AN ACT Relating to developing sexual harassment policies, procedures, and mandatory training for all state

employees; adding a new section to chapter 41.06 RCW; and adding a new section to chapter 43.01 RCW.

Referred to Committee on State Government & Tribal Affairs.

SB 5142 by Senators Fraser and Swecker

AN ACT Relating to the disbursement of funds by air pollution control agencies; and amending RCW 70.94.094.

Referred to Committee on Select Committee on Environmental Health.

SSB 5153 by Senate Committee on Labor, Commerce, Research & Development (originally sponsored by Senators Franklin, Kohl-Welles, Shin, Weinstein, Oemig, Keiser, Kauffman, Rockefeller, Fairley, Hargrove, Rasmussen, Spanel, Fraser, Jacobsen and Haugen)

AN ACT Relating to encouraging employers to be infant-friendly; amending RCW 43.70.640; adding a new section to chapter 43.70 RCW; and making an appropriation.

Referred to Committee on Health Care & Wellness.

SSB 5231 by Senate Committee on Government Operations & Elections (originally sponsored by Senators Berkey, Roach, Fairley, Pridemore and Shin)

AN ACT Relating to water-sewer districts; amending RCW 36.55.060, 44.04.170, 57.08.005, and 57.08.120; adding new sections to chapter 57.24 RCW; and adding a new section to chapter 35.21 RCW.

Referred to Committee on Local Government.

SSB 5244 by Senate Committee on Human Services & Corrections (originally sponsored by Senators Hargrove, Stevens and Brandland; by request of Department of Social and Health Services)

AN ACT Relating to implementation of the deficit reduction act; amending RCW 26.18.170, 26.23.035, 26.23.050, 26.23.110, 74.20.040, 74.20.330, 74.20A.030, and 74.20A.055; and reenacting and amending RCW 74.20A.056.

Referred to Committee on Judiciary.

SB 5259 by Senators Jacobsen and Morton; by request of Parks and Recreation Commission

AN ACT Relating to disposal of unneeded park land; and amending RCW 79A.05.175.

Referred to Committee on Agriculture & Natural Resources.

ESSB 5290 by Senate Committee on Labor, Commerce, Research & Development (originally sponsored by Senators Keiser, Kohl-Welles and Clements; by request of Department of Labor & Industries)

AN ACT Relating to industrial insurance medical and chiropractic advisory committees for the department of labor and industries; adding new sections to chapter 51.36 RCW; and creating a new section.

Referred to Committee on Commerce & Labor.

SSB 5305 by Senate Committee on Ways & Means (originally sponsored by Senators Franklin, Hargrove, Brandland, Eide, Hobbs, Spanel, Swecker, McAuliffe, Regala, Kauffman, Kohl-Welles, Fairley, Tom, Murray, Zarelli, Jacobsen, Keiser, Shin, Honeyford, Parlette, Rasmussen, Roach, Kline and Marr)

AN ACT Relating to extending medicaid coverage for foster youth; amending RCW 74.09.530; reenacting and amending RCW 74.09.510; and creating a new section.

Referred to Committee on Health Care & Wellness.

SSB 5321 by Senate Committee on Human Services & Corrections (originally sponsored by Senators Carrell, Regala, Stevens, Schoesler, Clements and Rasmussen)

AN ACT Relating to the sharing of child welfare information; amending RCW 26.44.020, 26.44.030, 26.44.031, 74.13.280, 74.15.130, 74.13.650, and 74.13.660; adding a new section to chapter 74.13 RCW; creating a new section; and providing an effective date.

Referred to Committee on Early Learning & Children's Services.

SSB 5358 by Senate Committee on Judiciary (originally sponsored by Senators Kline, Kohl-Welles, Fairley, McCaslin and Marr)

AN ACT Relating to a privilege from compelled testimony for members of the news media; and adding a new chapter to Title 5 RCW.

Referred to Committee on Judiciary.

SB 5398 by Senators Marr, Brandland and Keiser

AN ACT Relating to licensing specialty hospitals; adding a new section to chapter 70.41 RCW; and creating a new section.

Referred to Committee on Health Care & Wellness.

2SSB 5470 by Senate Committee on Ways & Means (originally sponsored by Senators Hargrove, Stevens, McAuliffe, Brown and Regala)

AN ACT Relating to dissolution proceedings; amending RCW 26.09.002, 26.12.050, 26.12.060, 2.56.180, 26.09.020, 36.18.016, 26.09.191, 26.12.177, 26.09.015, 26.09.030, 26.09.187, and 26.09.197; reenacting and amending RCW 2.56.030; adding new sections to chapter 26.09 RCW; adding a new section to chapter 26.12 RCW; adding a new section to chapter 2.53 RCW; adding a new section to chapter 26.18 RCW; creating new sections; providing effective dates; and providing an expiration date.

Referred to Committee on Judiciary.

SB 5490 by Senator Brandland

AN ACT Relating to adult family home advisory committees; and amending RCW 70.128.225.

Referred to Committee on Health Care & Wellness.

SSB 5534 by Senate Committee on Labor, Commerce, Research & Development (originally sponsored by Senators Kohl-Welles, Clements and Keiser)

AN ACT Relating to an exemption from unemployment compensation for certain small performing arts industries; and adding a new section to chapter 50.04 RCW.

Referred to Committee on Commerce & Labor.

SSB 5542 by Senate Committee on Agriculture & Rural Economic Development (originally sponsored by Senators Jacobsen, McAuliffe, Poulsen, Honeyford, Rasmussen and Holmquist)

AN ACT Relating to establishing the Washington state heritage barn preservation program; amending RCW 27.34.020; adding new sections to chapter 27.34 RCW; creating a new section; and providing an expiration date.

Referred to Committee on State Government & Tribal Affairs.

ESSB 5550 by Senate Committee on Consumer Protection & Housing (originally sponsored by Senators Weinstein, Kohl-Welles, Murray, Kauffman,

Kastama, Tom, Rockefeller, Pridemore, Spanel, Marr, Haugen, Eide, McAuliffe, Hargrove, Hatfield, Fraser, Kilmer, Jacobsen, Brown, Keiser, Shin, Franklin, McCaslin, Poulsen, Oemig, Kline and Regala)

AN ACT Relating to real property; amending RCW 4.16.300; adding a new chapter to Title 64 RCW; creating a new section; providing an effective date; and providing an expiration date.

Referred to Committee on Judiciary.

ESSB 5558 by Senate Committee on Labor, Commerce, Research & Development (originally sponsored by Senators Prentice, Honeyford, Kohl-Welles, Delvin, Franklin, Pflug, Keiser, Marr, Fairley and Clements)

AN ACT Relating to regulating house-banked social card games; amending RCW 9.46.295 and 9.46.070; adding new sections to chapter 9.46 RCW; and creating new sections.

Referred to Committee on Commerce & Labor.

2SSB 5597 by Senate Committee on Ways & Means (originally sponsored by Senators Franklin, Benton, Zarelli, Kauffman, Kline, Carrell, Poulsen, Keiser, Kohl-Welles, Delvin and Roach)

AN ACT Relating to contracts with chiropractors; adding a new section to chapter 48.43 RCW; and creating new sections.

Referred to Committee on Health Care & Wellness.

SB 5613 by Senators Kilmer, Kastama, Kauffman, Shin, Delvin, Brown and McAuliffe

AN ACT Relating to entrepreneurial training opportunities; and amending RCW 28C.18.060.

Referred to Committee on Higher Education.

SSB 5625 by Senate Committee on Human Services & Corrections (originally sponsored by Senators Hargrove and Pridemore)

AN ACT Relating to contracts for jail services with counties and cities in adjacent states; and amending RCW 70.48.090.

Referred to Committee on Public Safety & Emergency Preparedness.

SSB 5634 by Senate Committee on Human Services & Corrections (originally sponsored by Senators Brandland, Kline, McCaslin and Delvin; by request of Criminal Justice Training Commission)

AN ACT Relating to corrections personnel training; and amending RCW 43.101.220 and 43.101.350.

Referred to Committee on Public Safety & Emergency Preparedness.

2SSB 5652 by Senate Committee on Ways & Means (originally sponsored by Senators Kauffman, Kastama, Kilmer, Brown, Berkey, Rockefeller, Keiser and Shin)

AN ACT Relating to microenterprise development; amending RCW 43.330.010; adding a new section to chapter 43.330 RCW; and creating a new section.

Referred to Committee on Community & Economic Development & Trade.

SSB 5691 by Senate Committee on Ways & Means (originally sponsored by Senators Zarelli, Prentice and Roach)

AN ACT Relating to the near general fund and requiring revenue forecasts thereof; amending RCW 82.33.020, 43.135.025, 43.135.025, 43.79.460, 43.79.465, 43.72.900, and 83.100.230; reenacting and amending RCW 43.08.250, 69.50.520, 70.146.030, and 43.135.045; and providing an effective date.

Referred to Committee on Appropriations.

SSB 5718 by Senate Committee on Human Services & Corrections (originally sponsored by Senators Kohl-Welles, Hargrove, Regala, Stevens, Keiser and Rasmussen)

AN ACT Relating to penalties for engaging in the commercial sexual abuse of minors; amending RCW 9.68A.001, 9.68A.100, 9.68A.110, 19.138.340, 9A.88.140, 9.68A.105, 9A.88.120, and 9A.88.070; reenacting and amending RCW 9.94A.533 and 9.94A.515; adding new sections to chapter 9.68A RCW; creating new sections; and prescribing penalties.

Referred to Committee on Public Safety & Emergency Preparedness.

2SSB 5743 by Senate Committee on Ways & Means (originally sponsored by Senators Kastama, Kilmer and Shin)

AN ACT Relating to linking economic clusters and quality management practices to customized training; and amending RCW 28C.04.400, 28C.04.410, 28C.04.420, and 43.330.080.

Referred to Committee on Higher Education.

SB 5759 by Senators Schoesler, Delvin and Shin

AN ACT Relating to executive state officers; and amending RCW 42.17.2401.

Referred to Committee on State Government & Tribal Affairs.

SB 5773 by Senators Hargrove, Parlette and Keiser; by request of Department of Social and Health Services

AN ACT Relating to treatment records; and amending RCW 71.05.630 and 71.05.020.

Referred to Committee on Health Care & Wellness.

SB 5778 by Senators Fraser, Rockefeller, Poulsen and Kline; by request of Department of Health

AN ACT Relating to implementation of shellfish protection programs; and amending RCW 90.72.030 and 90.72.045.

Referred to Committee on Select Committee on Puget Sound.

SSB 5826 by Senate Committee on Financial Institutions & Insurance (originally sponsored by Senators Berkey, Benton, Roach, Zarelli, Kauffman, Marr, Kilmer, Carrell, Hobbs, Schoesler, Franklin, Haugen and Shin)

AN ACT Relating to consumer credit reports; amending RCW 19.182.170; and providing an effective date.

Referred to Committee on Insurance, Financial Services & Consumer Protection.

SSB 5855 by Senate Committee on Higher Education (originally sponsored by Senators Delvin, Shin, Berkey, Kilmer, Oemig and Rasmussen)

AN ACT Relating to modification of the higher education coordinating board; amending RCW 28B.76.050, 28B.76.090, and 28B.76.210; providing an effective date; and declaring an emergency.

Referred to Committee on Higher Education.

ESSB 5894 by Senate Committee on Water, Energy & Telecommunications (originally sponsored by Senators Rockefeller, Poulsen, Fraser, Oemig, Shin and Carrell; by request of Department of Health)

AN ACT Relating to clarifying regulatory authority for large on- site sewage systems; amending RCW 70.05.070, 43.20.050, 90.48.162, 90.48.110, and 36.94.010; adding new sections to chapter 70.118 RCW; adding a new chapter to Title 70 RCW; creating a new section; and prescribing penalties.

Referred to Committee on Select Committee on Environmental Health.

SSB 5919 by Senate Committee on Financial Institutions & Insurance (originally sponsored by Senators Hobbs, Benton, Berkey, Schoesler, Hatfield, Roach and Shin)

AN ACT Relating to retaliatory tax relief on insurance premium taxes; and amending RCW 48.18.170, 48.18.180, 48.02.190, and 48.14.040.

Referred to Committee on Insurance, Financial Services & Consumer Protection.

SSB 5952 by Senate Committee on Early Learning & K-12 Education (originally sponsored by Senators McAuliffe, Kohl-Welles and Rasmussen; by request of Department of Early Learning)

AN ACT Relating to correcting provisions for the department of early learning; amending RCW 43.215.300, 43.43.838, 42.48.010, 35.21.688, 35.63.185, 35A.63.215, 36.70.757, and 36.70A.450; reenacting and amending RCW 74.15.030; adding new sections to chapter 43.215 RCW; recodifying RCW 74.13.0903; and repealing RCW 43.215.2201 and 74.15.035.

Referred to Committee on Early Learning & Children's Services.

2SSB 5995 by Senate Committee on Ways & Means (originally sponsored by Senators Kastama, Zarelli, Kilmer, Clements, Kauffman, Shin, Pridemore, Regala, Fairley, Brown, Jacobsen and Rasmussen)

AN ACT Relating to the economic development commission; amending RCW 43.162.005, 43.162.010, 43.162.020, and 43.162.030; and adding a new section to chapter 43.162 RCW.

Referred to Committee on Community & Economic Development & Trade.

SSJM 8011 by Senate Committee on Early Learning & K-12 Education (originally sponsored by Senators McAuliffe, Clements, Rasmussen, Eide, Oemig, Sheldon, Shin, Kline and Tom; by request of Superintendent of Public Instruction)

Petitioning Congress to raise funding levels of the No Child Left Behind Act.

Referred to Committee on Education.

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

SECOND READING SUSPENSION

HOUSE BILL NO. 1975, By Representatives Springer, Condotta and Wood

Addressing spirits, beer, and wine restaurant licenses.

The bill was read the second time.

There being no objection, the committee recommendation was adopted and SUBSTITUTE HOUSE BILL NO. 1975 was read the second time.

The bill was placed on final passage.

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

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1975.

MOTIONS

On motion of Representative Schindler, Representative Sump was excused. On motion of Representative Santos, Representatives Ericks, Fromhold, Linville and McDermott were excused.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1975, and the bill passed the House by the following vote: Yeas - 93, Nays - 0, Absent - 0, Excused - 5.

Voting yea: Representatives Ahern, Alexander, Anderson, Appleton, Armstrong, Bailey, Barlow, Blake, Buri, Campbell, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eddy, Eickmeyer, Ericksen, Flannigan, Goodman, Grant, Green, Haigh, Hailey, Haler, Hankins, Hasegawa, Hinkle, Hudgins, Hunt, Hunter, Hurst, Jarrett, Kagi, Kelley, Kenney, Kessler,

Kirby, Kretz, Kristiansen, Lantz, Lovick, McCoy, McCune, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Newhouse, O'Brien, Orcutt, Ormsby, Pearson, Pedersen, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schindler, Schual-Berke, Seaquist, Sells, Simpson, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, Williams, Wood and Mr. Speaker - 93.

Excused: Representatives Ericks, Fromhold, Linville, McDermott and Sump - 5.

SUBSTITUTE HOUSE BILL NO. 1975, having received the necessary constitutional majority, was declared passed.

STATEMENT FOR THE JOURNAL

If I had been present, I would have voted YEA on SUBSTITUTE HOUSE BILL NO. 1975.

JOE MCDERMOTT, 34th District

HOUSE BILL NO. 1994, By Representatives Curtis, Ericks, Roberts and Quall

Addressing overpayments received by courts.

The bill was read the second time.

There being no objection, the committee recommendation was adopted.

The bill was placed on final passage.

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

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of House Bill No. 1994.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1994, and the bill passed the House by the following vote: Yeas - 94, Nays - 1, Absent - 0, Excused - 3.

Voting yea: Representatives Ahern, Alexander, Anderson, Appleton, Armstrong, Bailey, Barlow, Blake, Buri, Campbell, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eddy, Eickmeyer, Ericksen, Flannigan, Fromhold, Goodman, Grant, Green, Haigh, Hailey, Haler, Hankins, Hasegawa, Hinkle, Hudgins, Hunt, Hunter, Hurst, Jarrett, Kagi, Kelley, Kenney, Kessler, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Newhouse, O'Brien, Orcutt, Ormsby, Pearson, Pedersen, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schindler, Schual-Berke,

Seaquist, Sells, Simpson, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, Williams, Wood and Mr. Speaker - 94.

Voting nay: Representative Morris - 1.

Excused: Representatives Ericks, Linville and Sump - 3.

HOUSE BILL NO. 1994, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2004, By Representatives Rolfes, Armstrong, Eddy, Appleton, Clibborn and Jarrett

Providing comprehensive membership of significant jurisdictions on the executive board of regional transportation planning organizations.

The bill was read the second time.

There being no objection, the committee recommendation was adopted.

The bill was placed on final passage.

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

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of House Bill No. 2004.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2004, and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

Voting yea: Representatives Ahern, Alexander, Anderson, Appleton, Armstrong, Bailey, Barlow, Blake, Buri, Campbell, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eddy, Eickmeyer, Ericksen, Flannigan, Fromhold, Goodman, Grant, Green, Haigh, Hailey, Haler, Hankins, Hasegawa, Hinkle, Hudgins, Hunt, Hunter, Hurst, Jarrett, Kagi, Kelley, Kenney, Kessler, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Newhouse, O'Brien, Orcutt, Ormsby, Pearson, Pedersen, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schindler, Schual-Berke, Seaquist, Sells, Simpson, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, Williams, Wood and Mr. Speaker - 96.

Excused: Representatives Ericks and Sump - 2.

HOUSE BILL NO. 2004, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2009, By Representatives Haigh, Hunt, Ericks, Conway, Hasegawa and Ormsby

Modifying trench excavations on public works projects provisions.

The bill was read the second time.

There being no objection, the committee recommendation was adopted.

The bill was placed on final passage.

Representative Haigh spoke in favor of passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of House Bill No. 2009.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2009, and the bill passed the House by the following vote: Yeas - 97, Nays - 0, Absent - 0, Excused - 1.

Voting yea: Representatives Ahern, Alexander, Anderson, Appleton, Armstrong, Bailey, Barlow, Blake, Buri, Campbell, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eddy, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Goodman, Grant, Green, Haigh, Hailey, Haler, Hankins, Hasegawa, Hinkle, Hudgins, Hunt, Hunter, Hurst, Jarrett, Kagi, Kelley, Kenney, Kessler, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Newhouse, O'Brien, Orcutt, Ormsby, Pearson, Pedersen, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schindler, Schual-Berke, Seaquist, Sells, Simpson, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, Williams, Wood and Mr. Speaker - 97.

Excused: Representative Sump - 1.

HOUSE BILL NO. 2009, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2017, By Representatives Ericks, Lovick, O'Brien and Dunshee

Designating state route number 527 as a highway of statewide significance.

The bill was read the second time.

There being no objection, the committee recommendation was adopted.

The bill was placed on final passage.

Representatives Ericks and Jarrett spoke in favor of passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of House Bill No. 2017.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2017, and the bill passed the House by the following vote: Yeas - 97, Nays - 0, Absent - 0, Excused - 1.

Voting yea: Representatives Ahern, Alexander, Anderson, Appleton, Armstrong, Bailey, Barlow, Blake, Buri, Campbell, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eddy, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Goodman, Grant, Green, Haigh, Hailey, Haler, Hankins, Hasegawa, Hinkle, Hudgins, Hunt, Hunter, Hurst, Jarrett, Kagi, Kelley, Kenney, Kessler, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Newhouse, O'Brien, Orcutt, Ormsby, Pearson, Pedersen, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schindler, Schual-Berke, Seaquist, Sells, Simpson, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, Williams, Wood and Mr. Speaker - 97.

Excused: Representative Sump - 1.

HOUSE BILL NO. 2017, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2048, By Representatives O'Brien, Chandler, Wood, Williams, Moeller, Conway and Condotta

Modifying the requirements for executing assignment and warranty of title when the purchaser or transferee is a dealer.

The bill was read the second time.

There being no objection, the committee recommendation was adopted.

The bill was placed on final passage.

Representatives O'Brien and Chandler spoke in favor of passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of House Bill No. 2048.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2048, and the bill passed the House by the following vote: Yeas - 97, Nays - 0, Absent - 0, Excused - 1.

Voting yea: Representatives Ahern, Alexander, Anderson, Appleton, Armstrong, Bailey, Barlow, Blake, Buri, Campbell, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eddy, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Goodman, Grant, Green, Haigh, Hailey, Haler, Hankins, Hasegawa, Hinkle, Hudgins, Hunt, Hunter, Hurst, Jarrett, Kagi, Kelley, Kenney, Kessler, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Newhouse, O'Brien, Orcutt, Ormsby, Pearson, Pedersen, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schindler, Schual-Berke, Seaquist, Sells, Simpson, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, Williams, Wood and Mr. Speaker - 97.

Excused: Representative Sump - 1.

HOUSE BILL NO. 2048, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2135, By Representatives Wood, Condotta and Ormsby**Expanding lemon law coverage to out-of-state consumers.**

The bill was read the second time.

There being no objection, the committee recommendation was adopted.

The bill was placed on final passage.

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

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of House Bill No. 2135.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2135, and the bill passed the House by the following vote: Yeas - 97, Nays - 0, Absent - 0, Excused - 1.

Voting yea: Representatives Ahern, Alexander, Anderson, Appleton, Armstrong, Bailey, Barlow, Blake, Buri, Campbell, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eddy,

Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Goodman, Grant, Green, Haigh, Hailey, Haler, Hankins, Hasegawa, Hinkle, Hudgins, Hunt, Hunter, Hurst, Jarrett, Kagi, Kelley, Kenney, Kessler, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Newhouse, O'Brien, Orcutt, Ormsby, Pearson, Pedersen, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schindler, Schual-Berke, Seaquist, Sells, Simpson, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, Williams, Wood and Mr. Speaker - 97.

Excused: Representative Sump - 1.

HOUSE BILL NO. 2135, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2304, By Representatives Morrell, Quall, McDonald, Bailey, Grant, Walsh, Haler, McCune, Seaquist, McDermott, Kenney, Cody, Darneille, Dunn, Schual-Berke, Kessler, Conway, Springer, Hudgins, Green, Blake, Rodne, Goodman, Campbell, VanDeWege, Williams, Hunter, Takko and Moeller**Providing for the issuance of a certificate of need for certain cardiac care services.**

The bill was read the second time.

There being no objection, the committee recommendation was adopted and SUBSTITUTE HOUSE BILL NO. 2304 was read the second time.

The bill was placed on final passage.

Representatives Morrell and McDonald spoke in favor of passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2304.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2304, and the bill passed the House by the following vote: Yeas - 97, Nays - 0, Absent - 0, Excused - 1.

Voting yea: Representatives Ahern, Alexander, Anderson, Appleton, Armstrong, Bailey, Barlow, Blake, Buri, Campbell, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eddy, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Goodman, Grant, Green, Haigh, Hailey, Haler, Hankins, Hasegawa, Hinkle, Hudgins, Hunt, Hunter, Hurst, Jarrett, Kagi, Kelley, Kenney, Kessler, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire,

Miloscia, Moeller, Morrell, Morris, Newhouse, O'Brien, Orcutt, Ormsby, Pearson, Pedersen, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schindler, Schual-Berke, Seaquist, Sells, Simpson, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, Williams, Wood and Mr. Speaker - 97.

Excused: Representative Sump - 1.

SUBSTITUTE HOUSE BILL NO. 2304, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2317, By Representatives Wallace, Anderson, Sells and Kenney

Requiring development of a definition of "high demand."

The bill was read the second time.

There being no objection, the committee recommendation was adopted and SUBSTITUTE HOUSE BILL NO. 2317 was read the second time.

The bill was placed on final passage.

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

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2317.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2317, and the bill passed the House by the following vote: Yeas - 97, Nays - 0, Absent - 0, Excused - 1.

Voting yea: Representatives Ahern, Alexander, Anderson, Appleton, Armstrong, Bailey, Barlow, Blake, Buri, Campbell, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eddy, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Goodman, Grant, Green, Haigh, Hailey, Haler, Hankins, Hasegawa, Hinkle, Hudgins, Hunt, Hunter, Hurst, Jarrett, Kagi, Kelley, Kenney, Kessler, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Newhouse, O'Brien, Orcutt, Ormsby, Pearson, Pedersen, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schindler, Schual-Berke, Seaquist, Sells, Simpson, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, Williams, Wood and Mr. Speaker - 97.

Excused: Representative Sump - 1.

SUBSTITUTE HOUSE BILL NO. 2317, having received the necessary constitutional majority, was declared passed.

HOUSE CONCURRENT RESOLUTION NO. 4404, By Representatives Kenney, Anderson, Wallace, Sells, Jarrett, Ormsby, Linville and Conway; by request of Workforce Training and Education Coordinating Board

Approving the 2006 update to the state comprehensive plan for workforce training.

The concurrent resolution was read the second time.

There being no objection, the committee recommendation was adopted.

The concurrent resolution was placed on final passage.

Representatives Kenney and Anderson spoke in favor of passage of the concurrent resolution.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of House Concurrent Resolution No. 4404.

HOUSE CONCURRENT RESOLUTION NO. 4404 was adopted.

POINT OF PERSONAL PRIVILEGE

Representative Orcutt: ***

SECOND READING

HOUSE BILL NO. 1035, By Representatives Morris, Hudgins, Eickmeyer, Linville and B. Sullivan

Addressing the purchase of anaerobic digestion power.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1035 was substituted for House Bill No. 1035 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1035 was read the second time.

Representative Morris moved the adoption of amendment (197):

On page 4, after line 20, insert the following:

"NEW SECTION. Sec. 5. A new section is added to chapter 43.105 RCW to read as follows:

(1) By September 1, 2007, the department shall survey all desktop computers owned by the state and identify which desktop computers are suitable for using power management software.

(2) After conducting the review under subsection (1) of this section, the department shall purchase power management software for all desktop computers owned by the state that have been identified by the department as suitable for using power management software. The power management software must be purchased according to the terms of the master contract number T06-MST-002 effective July 7, 2006, or a subsequent contract entered into by the state for power management software that offers comparable or better energy efficiency savings.

(3) The department must install power management software on all desktop computers as expeditiously as possible.

(4) When acquiring new desktop computers, the department must purchase and install power management software at the time of acquisition, unless power management software is not suitable for a particular desktop computer's intended use.

(5) The department may retain any rebate moneys the state receives for energy conservation resulting from utilization of the power management software.

NEW SECTION. Sec. 6. By December 1st of each year, the department of information services shall report to the legislature on the number of licenses installed, the amount of estimated energy saved per computer per year, as well as the amount and number of rebates received by the state as a result of implementing the power management software.

NEW SECTION. Sec. 7. Sections 5 and 6 of this act expire July 1, 2017."

Renumber the remaining sections consecutively and correct internal references accordingly.

Correct the title.

Representatives Morris and Crouse spoke in favor of the adoption of the amendment.

The amendment was adopted.

Representative Morris moved the adoption of amendment (196):

On page 4, line 22, after "created in" insert "the state treasury as a subaccount of"

On page 4, line 22, after "account." insert "Revenues to the subaccount shall consist of amounts appropriated to the subaccount that represent energy savings generated from use of power management software on state computers."

On page 4, line 24, after "subaccount." insert "Moneys in the subaccount may be spent only after appropriation."

On page 4, line 26, after "chapter . . ." (" strike "Proposed" and insert "Second"

On page 4, line 27, after "No. 1036" strike "(H-2262.2/07)"

On page 4, after line 29, insert the following:

"Sec. 6. RCW 43.84.092 and 2006 c 337 s 11, 2006 c 311 s 23, 2006 c 171 s 10, 2006 c 56 s 10, and 2006 c 6 s 8 are each reenacted and amended to read as follows:

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

(2) The treasury income account shall be utilized to pay or receive funds associated with federal programs as required by the federal cash management improvement act of 1990. The treasury income account is subject in all respects to chapter 43.88 RCW, but no appropriation is required for refunds or allocations of interest earnings required by the cash management improvement act. Refunds of interest to the federal treasury required under the cash management improvement act fall under RCW 43.88.180 and shall not require appropriation. The office of financial management shall determine the amounts due to or from the federal government pursuant to the cash management improvement act. The office of financial management may direct transfers of funds between accounts as deemed necessary to implement the provisions of the cash management improvement act, and this subsection. Refunds or allocations shall occur prior to the distributions of earnings set forth in subsection (4) of this section.

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

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

(a) The following accounts and funds shall receive their proportionate share of earnings based upon each account's and fund's average daily balance for the period: The capitol building construction account, the Cedar River channel construction and operation account, the Central Washington University capital projects account, the charitable, educational, penal and reformatory institutions account, the clean streams and clear sky subaccount of the energy freedom account, the Columbia river basin water supply development account, the common school construction fund, the county criminal justice assistance account, the county sales and use tax equalization account, the data processing building construction account, the deferred compensation administrative account, the deferred compensation principal account, the department of retirement systems expense account, the developmental disabilities community trust account, the drinking water assistance account, the drinking water assistance administrative account, the drinking water assistance repayment account, the Eastern Washington University capital projects account, the education construction fund, the education legacy trust account, the election account, the emergency reserve fund, the energy freedom account, The Evergreen State College capital projects account, the federal forest revolving account, the freight mobility investment account, the freight mobility multimodal account, the health services account, the public health services account, the health system capacity account, the personal health services account, the state higher education construction

account, the higher education construction account, the highway infrastructure account, the high-occupancy toll lanes operations account, the industrial insurance premium refund account, the judges' retirement account, the judicial retirement administrative account, the judicial retirement principal account, the local leasehold excise tax account, the local real estate excise tax account, the local sales and use tax account, the medical aid account, the mobile home park relocation fund, the multimodal transportation account, the municipal criminal justice assistance account, the municipal sales and use tax equalization account, the natural resources deposit account, the oyster reserve land account, the pension funding stabilization account, the perpetual surveillance and maintenance account, the public employees' retirement system plan 1 account, the public employees' retirement system combined plan 2 and plan 3 account, the public facilities construction loan revolving account beginning July 1, 2004, the public health supplemental account, the public works assistance account, the Puyallup tribal settlement account, the real estate appraiser commission account, the regional mobility grant program account, the resource management cost account, the rural Washington loan fund, the site closure account, the small city pavement and sidewalk account, the special wildlife account, the state employees' insurance account, the state employees' insurance reserve account, the state investment board expense account, the state investment board commingled trust fund accounts, the supplemental pension account, the Tacoma Narrows toll bridge account, the teachers' retirement system plan 1 account, the teachers' retirement system combined plan 2 and plan 3 account, the tobacco prevention and control account, the tobacco settlement account, the transportation infrastructure account, the transportation partnership account, the tuition recovery trust fund, the University of Washington bond retirement fund, the University of Washington building account, the volunteer fire fighters' and reserve officers' relief and pension principal fund, the volunteer fire fighters' and reserve officers' administrative fund, the Washington fruit express account, the Washington judicial retirement system account, the Washington law enforcement officers' and fire fighters' system plan 1 retirement account, the Washington law enforcement officers' and fire fighters' system plan 2 retirement account, the Washington public safety employees' plan 2 retirement account, the Washington school employees' retirement system combined plan 2 and 3 account, the Washington state health insurance pool account, the Washington state patrol retirement account, the Washington State University building account, the Washington State University bond retirement fund, the water pollution control revolving fund, and the Western Washington University capital projects account. Earnings derived from investing balances of the agricultural permanent fund, the normal school permanent fund, the permanent common school fund, the scientific permanent fund, and the state university permanent fund shall be allocated to their respective beneficiary accounts. All earnings to be distributed under this subsection (4)(a) shall first be reduced by the allocation to the state treasurer's service fund pursuant to RCW 43.08.190.

(b) The following accounts and funds shall receive eighty percent of their proportionate share of earnings based upon each account's or fund's average daily balance for the period: The aeronautics account, the aircraft search and rescue account, the county arterial preservation account, the department of licensing services account, the essential rail assistance account, the ferry bond retirement fund, the grade crossing protective fund, the high capacity transportation account, the highway bond retirement fund, the highway safety account, the motor vehicle fund, the motorcycle safety education account, the pilotage account, the public transportation systems account, the Puget Sound capital construction account, the

Puget Sound ferry operations account, the recreational vehicle account, the rural arterial trust account, the safety and education account, the special category C account, the state patrol highway account, the transportation 2003 account (nickel account), the transportation equipment fund, the transportation fund, the transportation improvement account, the transportation improvement board bond retirement account, and the urban arterial trust account.

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

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

Representatives Morris and Crouse spoke in favor of the adoption of the amendment.

The amendment 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 Morris and Crouse spoke in favor of passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 1035.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1035 and the bill passed the House by the following vote: Yeas - 94, Nays - 3, Absent - 0, Excused - 1.

Voting yea: Representatives Ahern, Alexander, Appleton, Armstrong, Bailey, Barlow, Blake, Buri, Campbell, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunshee, Eddy, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Goodman, Grant, Green, Haigh, Hailey, Haler, Hankins, Hasegawa, Hinkle, Hudgins, Hunt, Hunter, Hurst, Jarrett, Kagi, Kelley, Kenney, Kessler, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Newhouse, O'Brien, Orcutt, Ormsby, Pearson, Pedersen, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schindler, Schual-Berke, Seaquist, Sells, Simpson, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, Williams, Wood and Mr. Speaker - 94.

Voting nay: Representatives Anderson, Chandler and Dunn - 3.

Excused: Representative Sump - 1.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1035, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1303, By Representatives Dickerson, B. Sullivan, Jarrett, Linville, Priest, Appleton, Pedersen, Kenney, Sells, Morrell, Lantz, O'Brien, Chase, Eickmeyer, McCoy, Haigh, Rolfes, Hurst, Eddy, Springer, Schual-Berke, Fromhold, Moeller, Hunt, Goodman, Williams, Darneille, Kagi, Lovick, Campbell, Dunshee, Sommers, Simpson, Hunter, Roberts and Miloscia

Encouraging the use of cleaner energy.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1303 was substituted for House Bill No. 1303 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1303 was read the second time.

Representative Dickerson moved the adoption of amendment (225):

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. (1) The legislature finds that excessive dependence on fossil fuels jeopardizes Washington's economic security, environmental integrity, and public health. Accelerated development and use of clean fuels and clean vehicle technologies will reduce the drain on Washington's economy from importing fossil fuels. As fossil fuel prices rise, clean fuels and vehicles can save money for consumers while promoting the development of a major, sustainable industry that provides good jobs and a new source of rural prosperity.

(2) Clean fuels and vehicles will protect public health by reducing toxic air pollution and reduce our largest source of global warming pollution. The state must better understand and prepare for the effects of global warming and the challenges and opportunities associated with evolving climate policies and carbon markets.

(3) To reduce fossil fuel dependence and build our clean energy economy, the state should develop policies and incentives that help businesses, consumers, and farmers gain greater access to affordable clean fuels and vehicles and to produce clean fuels in the state. These policies and incentives should include: Incentives for replacement of the most polluting diesel engines, especially in school buses; transitional incentives for development of the most promising in-state clean fuels and fuel feedstocks, including biodiesel crops, ethanol from plant waste, and liquid natural gas from landfill or wastewater treatment gases; reduced fossil fuel consumption by state fleets; development of promising new technologies for displacing petroleum with electricity, such as "plug-in hybrids"; and impact analysis and emission accounting procedures that prepare Washington to respond and prosper as global warming impacts occur and as policies and markets to reduce global warming pollution are developed.

PART 1 INVESTING IN CLEAN AIR

NEW SECTION. Sec. 101. (1) The legislature finds that fine particle air pollution attributable to diesel fuel is a significant health hazard to school children and other residents in our state. Sources of diesel emissions include diesel-powered trucks, buses and cars, diesel-powered marine vessels, construction equipment, trains, aircraft support equipment, cargo handling equipment, and a variety of other on and off-road engines. Reducing fine particles and toxic emissions from diesel emissions and other sources of pollution reduces the adverse health impacts on children, reduces cancer risk, and reduces the incidence and severity of asthma attacks and chronic bronchitis. Reducing diesel emissions, in addition to strategies to reduce wood smoke, will also aid areas of the state facing potential nonattainment of new fine particle standards established by the United States environmental protection agency and help avoid the adverse health and economic impacts of nonattainment.

(2) Under the current Washington state clean school bus program, approximately seven thousand five hundred diesel school buses, over three-quarters of the existing fleet statewide, will be retrofitted by 2008. Reduced exhaust emissions from these retrofitted buses provide cleaner air to breathe for the children riding the buses and the citizens in the communities served by the buses.

(3) The legislature finds that it is not cost-effective to retrofit much older buses because of their mechanical condition and very high emissions. Replacement with new, ultra-low emission buses, beginning with the model year 2007, is the most effective means to nearly eliminate the toxic emissions generated by the use of these older buses. In addition, newer buses are safer, more reliable, provide significantly higher fuel economy, and have lower overall operating costs. An incentive program to accelerate purchase of newer buses and replacement of older buses will more quickly achieve these gains and result in a lower health risk to children.

(4) Even with new federal diesel fuel and engine standards going into effect in 2006 and 2007, and due to the long life of diesel engines, diesel emissions will continue to be an air pollution concern for many years.

(5) Many public and private fleets continue to use diesel equipment that has not been retrofitted to reduce emissions. Therefore, the legislature finds that it is important to continue to take measures to reduce diesel emissions in our state so we protect the health of our citizens and create healthier communities. Reducing diesel emissions will also allow continued growth in major ports in the state by maintaining air quality within federal standards.

NEW SECTION. Sec. 102. A new section is added to chapter 28A.300 RCW to read as follows:

(1) The office of the superintendent of public instruction shall implement a school bus replacement incentive program. As part of the program, the office shall fund up to ten percent of the cost of a new 2007 or later model year school bus that meets the 2007 federal motor vehicle emission control standards and is purchased by a school district by no later than June 30, 2009, provided that the new bus is replacing a 1994 or older school bus in the school district's fleet. Replacement of the oldest buses must be given highest priority.

(2) The office of the superintendent of public instruction shall ensure that buses being replaced through this program are surplus under RCW 28A.335.180. As part of the surplus process, school districts must provide written documentation to the office of the superintendent of public instruction demonstrating that buses being replaced are scrapped and not purchased for road use. The documentation must include bus make, model, year, vehicle

identification number, engine make, engine serial number, and salvage yard receipts; and must demonstrate that the engine and body of the bus being replaced has been rendered unusable.

Sec. 103. RCW 70.94.017 and 2005 c 295 s 5 are each amended to read as follows:

(1) Money deposited in the segregated subaccount of the air pollution control account under RCW 46.68.020(2) shall be distributed as follows:

(a) Eighty-five percent shall be distributed to air pollution control authorities created under this chapter. The money must be distributed in direct proportion with the amount of fees imposed under RCW 46.12.080, 46.12.170, and 46.12.181 that are collected within the boundaries of each authority. However, an amount in direct proportion with those fees collected in counties for which no air pollution control authority exists must be distributed to the department.

(b) The remaining fifteen percent shall be distributed to the department.

(2) Money distributed to air pollution control authorities and the department under subsection (1) of this section must be used as follows:

(a) Eighty-five percent of the money received by an air pollution control authority or the department is available on a priority basis to retrofit school buses with exhaust emission control devices or to provide funding for fueling infrastructure necessary to allow school bus fleets to use alternative, cleaner fuels. In addition, the director of ecology or the air pollution control officer may direct funding under this section for other publicly or privately owned diesel equipment if the director of ecology or the air pollution control officer finds that funding for other publicly or privately owned diesel equipment will provide public health benefits and further the purposes of this chapter.

(b) The remaining fifteen percent may be used by the air pollution control authority or department to reduce transportation-related air contaminant emissions and clean up air pollution, or reduce and monitor toxic air contaminants.

(3) Money in the air pollution control account may be spent by the department only after appropriation.

(4) This section expires July 1, 2020.

Sec. 104. RCW 53.08.040 and 1989 c 298 s 1 are each amended to read as follows:

(1) A district may improve its lands by dredging, filling, bulkheading, providing waterways or otherwise developing such lands for industrial and commercial purposes. A district may also acquire, construct, install, improve, and operate sewer and water utilities to serve its own property and other property owners under terms, conditions, and rates to be fixed and approved by the port commission. A district may also acquire, by purchase, construction, lease, or in any other manner, and may maintain and operate other facilities for the control or elimination of air, water, or other pollution, including, but not limited to, facilities for the treatment and/or disposal of industrial wastes, and may make such facilities available to others under terms, conditions and rates to be fixed and approved by the port commission. Such conditions and rates shall be sufficient to reimburse the port for all costs, including reasonable amortization of capital outlays caused by or incidental to providing such other pollution control facilities(~~(— PROVIDED, That)~~). However, no part of such costs of providing any pollution control facility to others shall be paid out of any tax revenues of the port(~~(— AND PROVIDED FURTHER, That)~~) and no port shall enter into an

agreement or contract to provide sewer and/or water utilities or pollution control facilities if substantially similar utilities or facilities are available from another source (or sources) which is able and willing to provide such utilities or facilities on a reasonable and nondiscriminatory basis unless such other source (or sources) consents thereto.

(2) In the event that a port elects to make such other pollution control facilities available to others, it shall do so by lease, lease purchase agreement, or other agreement binding such user to pay for the use of said facilities for the full term of the revenue bonds issued by the port for the acquisition of said facilities, and said payments shall at least fully reimburse the port for all principal and interest paid by it on said bonds and for all operating or other costs, if any, incurred by the port in connection with said facilities(~~(— PROVIDED;)~~). However, ((~~That~~)) where there is more than one user of any such facilities, each user shall be responsible for its pro rata share of such costs and payment of principal and interest. Any port intending to provide pollution control facilities to others shall first survey the port district to ascertain the potential users of such facilities and the extent of their needs. The port shall conduct a public hearing upon the proposal and shall give each potential user an opportunity to participate in the use of such facilities upon equal terms and conditions.

(3) "Pollution control facility," as used in this section and RCW 53.08.041, does not include air quality improvement equipment that provides emission reductions for engines, vehicles, and vessels.

PART 2 PUBLIC SECTOR FUEL USE

NEW SECTION. Sec. 201. (1) The legislature finds that it is in the state's interest and to the benefit of the people of the state to encourage the use of electrical vehicle technology that will reduce fossil fuel dependence and toxic air pollution. Displacing petroleum with electricity will keep more energy expenditures and jobs in Washington's economy instead of being lost to fossil fuel imports.

(2) Motor vehicles produce more than half of the global warming pollution in the state of Washington. Reducing the use of fossil fuels through alternatives such as electrification is one of the most practical, beneficial climate solutions available to the state and its citizens.

(3) The legislature finds that cleaner fuels and vehicles, including vehicles that use electricity, can help the state achieve better public health, increased energy security, and substantial economic benefits.

(4) The legislature finds that there is a compelling public interest in reducing fossil fuel dependence and emissions of global warming pollution. It is important for the state of Washington to demonstrate leadership in this regard and achieve reductions in the use of fossil fuels by state fleets.

Sec. 202. RCW 43.19.642 and 2006 c 338 s 10 are each amended to read as follows:

(1) All state agencies are encouraged to use a fuel blend of twenty percent biodiesel and eighty percent petroleum diesel for use in diesel-powered vehicles and equipment.

(2) Effective June 1, 2006, for agencies complying with the ultra-low sulfur diesel mandate of the United States environmental protection agency for on-highway diesel fuel, agencies shall use biodiesel as an additive to ultra-low sulfur diesel for lubricity, provided that the use of a lubricity additive is warranted and that the use of biodiesel is comparable in performance and cost with other

available lubricity additives. The amount of biodiesel added to the ultra-low sulfur diesel fuel shall be not less than two percent.

(3) Effective June 1, 2009, state agencies are required to use a minimum of twenty percent biodiesel as compared to total volume of all diesel purchases made by the agencies for the operation of the agencies' diesel-powered vessels, vehicles, and construction equipment.

(4)(a) Effective June 1, 2015, all state agencies and local government subdivisions of the state, to the extent determined practicable by the energy freedom coordinator created in section 303 of this act, are required to satisfy one hundred percent of their fuel needs for operating publicly owned vessels, vehicles, and construction equipment from electricity or biofuel certified by the energy freedom coordinator.

(b) If, on or after June 1, 2015, the energy freedom coordinator finds that it is not practicable for all units of state and local government to satisfy their complete fuel needs from electricity or biofuel, the energy freedom coordinator may determine the minimum percentage of biofuel that must be included in a state or local agency's purchasing, the date of compliance with the one hundred percent biofuel mandate, and any other conditions on an agency's fuel purchasing schedule deemed necessary by the energy freedom coordinator for the successful satisfaction of the one hundred percent biofuel mandate.

(5) All state agencies using biodiesel fuel shall, beginning on July 1, 2006, file quarterly reports with the department of general administration documenting the use of the fuel and a description of how any problems encountered were resolved.

NEW SECTION. Sec. 203. A new section is added to chapter 43.19 RCW to read as follows:

(1) By no later than January 1, 2020, the annual fossil fuel usage by the state must be at least twenty-five percent below the annual usage for the year 2006.

(2) Except for cars owned or operated by the Washington state patrol, when tires on vehicles in the state's motor vehicle fleet are replaced, they must be replaced with tires that have the same or better rolling resistance as the original tires.

(3) All state agencies shall report to the energy freedom coordinator created in section 303 of this act at the beginning of each biennium until January 1, 2020, on progress towards meeting the goals in this section and any barriers to achieving the goals.

NEW SECTION. Sec. 204. A new section is added to chapter 43.19 RCW to read as follows:

(1) In order to allow the motor vehicle fuel needs of state and local government to be satisfied by Washington-produced biofuels as provided in RCW 43.19.642, the department of general administration may contract in advance and execute contracts with public or private producers, suppliers, or other parties, for the purchase of biofuels, as that term is defined in RCW 15.110.010 (as recodified by this act). Contract provisions may address items including, but not limited to, fuel standards, price, and delivery date.

(2) The department of general administration may combine the needs of local government agencies, including ports, special districts, school districts, and municipal corporations, for the purposes of executing contracts for biofuels and to secure a sufficient and stable supply of alternative fuels.

NEW SECTION. Sec. 205. A new section is added to chapter 43.01 RCW to read as follows:

(1) It is in the state's interest and to the benefit of the people of the state to encourage the use of electrical vehicles in order to reduce emissions and provide the public with cleaner air. This section expressly authorizes the purchase of power at state expense to recharge privately and publicly owned plug-in electrical vehicles at state office locations where the vehicles are used for state business, are commute vehicles, or where the vehicles are at the state location for the purpose of conducting business with the state.

(2) The director of the department of general administration shall provide reports to the governor and the appropriate committees of the legislature, as deemed necessary by the director, on the estimated amount of state-purchased electricity consumed by plug-in electrical vehicles if the director of general administration determines that the use has a significant cost to the state, and on the number of plug-in electric vehicles using state office locations.

NEW SECTION. Sec. 206. A new section is added to chapter 89.08 RCW to read as follows:

In addition to any other authority provided by law, conservation districts are authorized to enter into crop purchase contracts for a dedicated energy crop for the purposes of producing, selling, and distributing biodiesel produced from Washington state feedstocks, cellulosic ethanol, and cellulosic ethanol blend fuels.

NEW SECTION. Sec. 207. A new section is added to chapter 35.21 RCW to read as follows:

In addition to any other authority provided by law, public development authorities are authorized to enter into crop purchase contracts for a dedicated energy crop for the purposes of producing, selling, and distributing biodiesel produced from Washington state feedstocks, cellulosic ethanol, and cellulosic ethanol blend fuels.

NEW SECTION. Sec. 208. A new section is added to chapter 35.92 RCW to read as follows:

In addition to any other authority provided by law, municipal utilities are authorized to produce and distribute biodiesel, ethanol, and ethanol blend fuels, including entering into crop purchase contracts for a dedicated energy crop for the purpose of generating electricity or producing biodiesel produced from Washington feedstocks, cellulosic ethanol, and cellulosic ethanol blend fuels for use in internal operations of the electric utility and for sale or distribution.

NEW SECTION. Sec. 209. A new section is added to chapter 54.04 RCW to read as follows:

In addition to any other authority provided by law, public utility districts are authorized to produce and distribute biodiesel, ethanol, and ethanol blend fuels, including entering into crop purchase contracts for a dedicated energy crop for the purpose of generating electricity or producing biodiesel produced from Washington feedstocks, cellulosic ethanol, and cellulosic ethanol blend fuels for use in internal operations of the electric utility and for sale or distribution.

PART 3 ENERGY FREEDOM AUTHORITY

NEW SECTION. Sec. 301. (1) The legislature finds that the development of a Washington-based feedstock agricultural and forest products market is highly desirable for producing biodiesel and ethanol. Research and incentive programs are needed to develop a market in Washington to produce cellulosic ethanol from wood waste and other organic materials. Cellulosic ethanol is a preferred biofuel

because it provides much greater reductions in petroleum dependence and carbon emissions as compared to starch-based ethanol.

(2) The legislature further finds that the development of a market for renewable liquid natural gas fuel products made from Washington-based feedstock waste biogases is highly desirable to meet Washington's clean fuel needs.

(3) It is important for the state of Washington to develop a complete supply chain infrastructure that allows the state government, including its local government subdivisions, to supply its complete fuel needs with biofuels produced from feedstocks completely produced in Washington. The goal of supplying one hundred percent of state and local government's fuel needs with biofuels should be a reality by 2015.

Sec. 302. RCW 15.110.010 and 2006 c 171 s 2 are each amended to read as follows:

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

(1) "Applicant" means any political subdivision of the state, including port districts, counties, cities, towns, special purpose districts, and other municipal corporations or quasi-municipal corporations. "Applicant" may also include federally recognized tribes and state institutions of higher education with appropriate research capabilities.

(2) "Assistance" includes loans, leases, product purchases, or other forms of financial or technical assistance.

(3) "Biofuel" includes, but is not limited to, biodiesel, ethanol, and ethanol blend fuels that are made from recycled products, Washington feedstocks, and renewable liquid natural gas or liquid compressed natural gas made from biogas.

(4) "Biogas" includes waste gases derived from landfills and wastewater treatment plants and dairy and farm wastes.

(5) "Cellulosic ethanol" means ethanol derived from any lignocellulosic or hemicellulosic matter that is available on a renewable or recurring basis, including dedicated energy crops and trees, wood and wood residues, plants, grasses, agricultural residues, fibers, animal wastes and other waste materials, and municipal solid waste.

(6) "Coordinator" means the energy freedom coordinator created in section 303 of this act.

(7) "Department" means the department of ~~(agriculture)~~ community, trade, and economic development.

~~((4)) "Director" means the director of the department of agriculture.~~

~~(5))~~ (8) "Green highway zone" means an area in the state designated by the department that is within reasonable proximity of state route number 5, state route number 90, and state route number 82.

(9) "Peer review committee" means a board, appointed by the ~~((director))~~ coordinator, that includes bioenergy specialists, energy conservation specialists, scientists, and individuals with specific recognized expertise.

~~((6))~~ (10) "Project" means the construction of facilities, including the purchase of equipment, to convert farm products or wastes into electricity or gaseous or liquid fuels or other coproducts associated with such conversion. These specifically include fixed or mobile facilities to generate electricity or methane from the anaerobic digestion of organic matter, and fixed or mobile facilities for extracting oils from canola, rape, mustard, and other oilseeds. "Project" may also include the construction of facilities associated with such conversion for the distribution and storage of such feedstocks and fuels.

~~((7))~~ (11) "Refueling project" means the construction of new alternative fuel refueling facilities, as well as upgrades and expansion of existing refueling facilities, that will enable these facilities to offer alternative fuels to the public.

(12) "Research and development project" means research and development, by an institution of higher education as defined in subsection (1) of this section, relating to:

(a) Bioenergy sources including but not limited to biomass and associated gases; or

(b) The development of markets for bioenergy coproducts.

NEW SECTION. Sec. 303. (1) The energy freedom authority, together with the position of the energy freedom coordinator, is created within the department.

(2) The coordinator is responsible for:

(a) Managing and directing the energy freedom authority;

(b) Inventorying and coordinating all state efforts to develop, encourage, or mandate a biofuels market in Washington;

(c) Developing, coordinating, and overseeing the implementation of a plan, or series of plans, for the development of a complete supply chain that allows for the production, transport, distribution, and delivery to public sector end users of biofuels produced exclusively from recycled products or Washington feedstocks;

(d) Certifying that biofuels produced for use by state and local government in Washington is produced exclusively from recycled products or Washington feedstocks;

(e) Judging the practicability of the one hundred percent biofuels mandate in RCW 43.19.642;

(f) Working with the departments of transportation and general administration, or other applicable state and local governmental entities, to develop biofuel fueling stations for use by state and local motor vehicle fleets;

(g) Using any appropriations specifically provided for the purposes of this subsection to provide greater access to public sector fueling capacity for biofuels; and

(h) Working with the department of general administration, in conjunction with private sector suppliers, to develop a pilot program for providing E85 fueling capacity at appropriate intervals and locations along at least interstate routes 5, 82, and 90 throughout the state for the use of public and private vehicles.

Sec. 304. RCW 15.110.020 and 2006 c 171 s 3 are each amended to read as follows:

(1) The energy freedom program is established within the department, to be administered by the energy freedom authority created in section 303 of this act. The ~~((director))~~ coordinator may establish policies and procedures necessary for processing, reviewing, and approving applications made under this chapter.

(2) When reviewing applications submitted under this program, the ~~((director))~~ coordinator shall consult with those agencies and other public entities having expertise and knowledge to assess the technical and business feasibility of the project and probability of success. These agencies may include, but are not limited to, the department, Washington State University, the University of Washington, the department of ecology, ~~((the department of community, trade, and economic development,)) the department of natural resources, the department of agriculture, the department of general administration, local clean air authorities,~~ and the Washington state conservation commission.

(3) Except as provided in subsection (5) of this section, the ~~((director))~~ coordinator, in cooperation with the department ~~((of~~

community, trade, and economic development)), may approve an application only if the ~~((director))~~ coordinator finds:

(a) The project will convert farm products or wastes, including biogas, directly into electricity or ~~((into gaseous or liquid fuels))~~ biofuel or other coproducts associated with such conversion;

(b) The project demonstrates technical feasibility and directly assists in moving a commercially viable project into the marketplace for use by Washington state citizens;

(c) The facility will produce long-term economic benefits to the state, a region of the state, or a particular community in the state;

(d) The project does not require continuing state support;

(e) The assistance will result in new jobs, job retention, or higher incomes for citizens of the state;

(f) The state is provided an option under the assistance agreement to purchase a portion of the fuel or feedstock to be produced by the project, exercisable by the department of general administration;

(g) The project will increase energy independence or diversity for the state;

(h) The project will use feedstocks produced in the state, if feasible, except this criterion does not apply to the construction of facilities used to distribute and store fuels that are produced from farm products or wastes;

(i) Any product produced by the project will be suitable for its intended use, will meet accepted national or state standards, and will be stored and distributed in a safe and environmentally sound manner;

(j) The application provides for adequate reporting or disclosure of financial and employment data to the ~~((director))~~ coordinator, and permits the ~~((director))~~ coordinator to require an annual or other periodic audit of the project books; and

(k) For research and development projects, the application has been independently reviewed by a peer review committee as defined in RCW 15.110.010 (as recodified by this act) and the findings delivered to the ~~((director))~~ coordinator.

(4) Cellulosic ethanol production facilities and biogas-to-biofuel production facilities are eligible for assistance under the energy freedom program.

(5) When reviewing an application for a refueling project, the coordinator may award a grant or a loan to an applicant if the director finds:

(a) The project will offer alternative fuels to the motoring public;

(b) The project does not require continued state support;

(c) The project is located within a green highway zone as defined in RCW 15.110.010 (as recodified by this act);

(d) The project will contribute towards an efficient and adequately spaced alternative fuel refueling network along the green highways designated in RCW 47.17.020, 47.17.135, and 47.17.140; and

(e) The project will result in increased access to alternative fueling infrastructure for the motoring public along the green highways designated in RCW 47.17.020, 47.17.135, and 47.17.140.

(6)(a) The ((director)) coordinator may approve ((am)) a project application for assistance under subsection (3) of this section up to five million dollars. In no circumstances shall this assistance constitute more than fifty percent of the total project cost.

((5)) (b) The director may approve a refueling project application for a grant or a loan under subsection (5) of this section up to fifty thousand dollars. In no circumstances shall a grant or a loan award constitute more than fifty percent of the total project cost.

(7) The ((director)) coordinator shall enter into agreements with approved applicants to fix the terms and rates of the assistance to minimize the costs to the applicants, and to encourage establishment of a viable bioenergy or biofuel industry. The agreement shall include provisions to protect the state's investment, including a requirement that a successful applicant enter into contracts with any partners that may be involved in the use of any assistance provided under this program, including services, facilities, infrastructure, or equipment. Contracts with any partners shall become part of the application record.

((6)) (8) The ((director)) coordinator may defer any payments for up to twenty-four months or until the project starts to receive revenue from operations, whichever is sooner.

Sec. 305. RCW 15.110.030 and 2006 c 171 s 4 are each amended to read as follows:

(1) Upon written notice to the recipient of any assistance under this program, the ~~((director))~~ coordinator may suspend or cancel the assistance if any of the following occur:

(a) The recipient fails to make satisfactory and reasonable progress to complete the project, or the ~~((director))~~ coordinator concludes the recipient will be unable to complete the project or any portion of it; or

(b) The recipient has made misrepresentations in any information furnished to the ~~((director))~~ coordinator in connection with the project.

(2) In the event that any assistance has been awarded to the recipient under this program at the time of breach, or failure of the recipient to satisfactorily perform, the ~~((director))~~ coordinator may require that the full amount or value of the assistance, or a portion thereof, be repaid within a period specified by the ~~((director))~~ coordinator.

Sec. 306. RCW 15.110.040 and 2006 c 171 s 5 are each amended to read as follows:

(1) If the total requested dollar amount of assistance awarded for projects under RCW 15.110.020(3) (as recodified by this act) exceeds the amount available in the energy freedom account created in RCW 15.110.050 (as recodified by this act), the applications must be prioritized based upon the following criteria:

((+)) (a) The extent to which the project will help reduce dependence on petroleum fuels and imported energy either directly or indirectly;

((2)) (b) The extent to which the project will reduce air and water pollution either directly or indirectly;

((3)) (c) The extent to which the project will establish a viable bioenergy or biofuel production capacity in Washington;

((4)) (d) The benefits to Washington's agricultural producers;

((and

—(5)) (e) The benefits to the health of Washington's forests;

(f) The beneficial uses of biogas; and

(g) The number and quality of jobs and economic benefits created by the project.

(2) This section does not apply to grants or loans awarded for refueling projects under RCW 15.110.020(4) (as recodified by this act).

NEW SECTION. Sec. 307. (1) If the total requested dollar amount of funds for refueling projects under RCW 15.110.020(5) (as recodified by this act) exceeds the amount available for refueling projects in the energy freedom account created in RCW 15.110.050

(as recodified by this act), the applications must be prioritized based upon the following criteria:

- (a) The extent to which the project will help reduce dependence on petroleum fuels and imported energy either directly or indirectly;
- (b) The extent to which the project will reduce air and water pollution either directly or indirectly;
- (c) The extent to which the project will establish a viable bioenergy production capacity in Washington;
- (d) The extent to which the project will make biofuels more accessible to the motoring public;
- (e) The benefits to Washington's agricultural producers; and
- (f) The number and quality of jobs and economic benefits created by the project.

(2) This section does not apply to assistance awarded for projects under RCW 15.110.020(3) (as recodified by this act).

Sec. 308. RCW 15.110.050 and 2006 c 371 s 223 are each amended to read as follows:

(1) The energy freedom account is created in the state treasury. All receipts from appropriations made to the account and any loan payments of principal and interest derived from loans made under this chapter must be deposited into the account. Moneys in the account may be spent only after appropriation. Expenditures from the account may be used only for assistance for projects consistent with this chapter or otherwise authorized by the legislature. ~~((Administrative costs of the department may not exceed three percent of the total funds available for this program:))~~

(2) The following goals and criteria should be considered in evaluating potential biofuel incentives to be offered by the energy freedom account: To assist Washington farmers and businesses in the development of economically viable, sustained instate biofuel and biofuel feedstock production; to leverage and encourage private investment in biofuel and biofuel feedstock production; and to assist in the development of biofuel feedstocks and production techniques that deliver the greatest net reductions in petroleum dependence and carbon emissions.

(3) Any state agency receiving funding from the energy freedom account is prohibited from retaining greater than three percent of any funding provided from the energy freedom account for administrative overhead or other deductions not directly associated with conducting the research, projects, or other end products that the funding is designed to produce.

(4) Any university, institute, or other entity that is not a state agency receiving funding from the energy freedom account is prohibited from retaining greater than fifteen percent of any funding provided from the energy freedom account for administrative overhead or other deductions not directly associated with conducting the research, projects, or other end products that the funding is designed to produce.

Sec. 309. RCW 15.110.060 and 2006 c 171 s 7 are each amended to read as follows:

The ~~((director))~~ coordinator shall report to the legislature and governor on the status of the energy freedom program created under this chapter, on or before December 1, 2006, and annually thereafter. This report must include information on the projects that have been funded, the status of these projects, and their environmental, energy savings, and job creation benefits as well as an assessment of the availability of alternative fuels in the state.

PART 4 PLANNING FOR THE FUTURE

NEW SECTION. Sec. 401. (1) The legislature finds that climate change is expected to have significant impacts in the Pacific Northwest region in the near and long-term future. These impacts include, among other things, increased temperatures, declining snowpack, more frequent heavy rainfall and flooding, receding glaciers, rising sea levels, increased risks to public health due to insect and rodent-borne diseases, declining salmon populations, and increased drought and risk of forest fires.

(2) The legislature recognizes the need at this time to continue to gather and analyze information related to climate protection. This will allow prudent steps to be taken to avoid, mitigate, or respond to climate impacts and protect our communities.

(3) The analysis of the health impacts of climate protection is needed to help prepare the state for and avoid health impacts such as West Nile virus and respiratory disease. At the same time, this analysis will contribute to our strategic thinking and planning for the impacts of climate change.

(4) The legislature finds that it is important for the state of Washington to participate in emerging regional, national, and international markets to mitigate climate change. The state has a strong interest in ensuring that climate policies and emission markets are designed to appropriately recognize our unique energy assets. Further, the legislature recognizes that any market system related to climate protection must be based on credible and durable accounting principles and have equally applicable rules across sectors in order to promote economically and environmentally effective trading.

NEW SECTION. Sec. 402. (1) The vehicle electrification work group is established. Members of the group must be appointed by the governor or the governor's designee and must include representatives of state and local government agencies, ports, private and public electrical power utilities, automobile manufacturers, trucking industry interests, environmental interests, regional air quality agencies, and other stakeholder groups. Staff for the work group must be provided by the department of community, trade, and economic development, with additional staff to be provided by other state agencies, as may be required or requested.

(2) The vehicle electrification work group shall review, study, evaluate, and make recommendations on at least the following items:

(a) Use by the state of plug-in hybrid vehicles and developing plug-in availability at state locations;

(b) Incentives to encourage the use of plug-in truck auxiliary power units and truck stop electrification;

(c) Use of plug-in shore power for cargo and cruise ship terminals, shipside technology, and use of electric power alternatives for port-related operations and equipment such as switching locomotives, vessels and harborcraft, and cargo-handling equipment;

(d) Potential uses for and availability of plug-in hybrid school buses;

(e) Potential environmental and electrical grid impacts on electrical power consumption of the conversion of a meaningful portion of the state's private and public fleet to plug-in electrical power;

(f) Tax and fee incentives to encourage individual and fleet purchases of plug-in hybrid vehicles;

(g) State laws, rules, tariffs, and policies that impact transportation electrification and plug-in adoption, including pricing with incentives for off-peak charging;

(h) Measures to encourage the use of plug-in vehicles by public fleets, and resulting cost savings, and whether state and local fleets should be required to purchase plug-in hybrid vehicles if it is

determined that plug-in hybrid vehicles are commercially available at a reasonably comparable life-cycle cost;

(i) Explore the potential for the use of electrification of fixed transit routes for magnetic levitation propulsion systems;

(j) Actions by the state to help industries located in the state participate in developing and manufacturing plug-in vehicles and vehicle-to-grid technologies;

(k) Additional ways the state can promote transportation electrification in the private and public sectors, including cars and light-duty vehicles, and truck stop and port electrification; and

(l) Potential partners for vehicle-to-grid pilot projects that test the use of parked plug-in vehicles for power grid energy storage and support.

(3) The vehicle electrification work group must complete its work by December 1, 2008. The work group must submit an interim report to the governor stating its findings, conclusions, and interim recommendations by December 1, 2007. The group must submit a final report to the governor stating its findings, conclusions, and final recommendations by December 1, 2008.

(4) The department of community, trade, and economic development shall supply staff support and research to the vehicle electrification work group.

(5) This section expires July 31, 2009.

NEW SECTION. Sec. 403. A new section is added to chapter 28B.30 RCW to read as follows:

Washington State University is directed to analyze and recommend models for possible implementation by the legislature or the executive office for at least the following potential biofuels incentive programs:

(1) Market incentives to encourage in-state production of brassica-based biodiesel, and cellulosic ethanol, including such market methods as direct grants, production tax credits, and the issuance by the state of advance guaranteed purchase contracts;

(2) Possible preferred research programs, grants, or other forms of assistance for accelerating the development of in-state production of cellulosic ethanol and in-state biodiesel crops and their coproducts;

(3) Coordinate with the Western Washington University alternative automobile program for opportunities to support new Washington state technology for conversion of fossil fuel fleets to biofuel, hybrid, or alternative fuel propulsion;

(4) Coordinate with the University of Washington's college of forest management and the Olympic natural resources center for the identification of barriers to using the state's forest resources for fuel production, including the economic and transportation barriers of physically bringing forest biomass to the market;

(5) Coordinate with the department of agriculture for the identification of other barriers for future biofuels development; and

(6) Strategies for furthering the penetration of the Washington state fossil fuel market with Washington produced biofuels, particularly among public entities.

NEW SECTION. Sec. 404. (1) The department of community, trade, and economic development shall develop and recommend, in consultation with the department of ecology, a framework for the state of Washington to participate in emerging regional, national, and global markets to mitigate climate change, on a multisector basis, including the forest sector. This framework must include, but not be limited to, credible, verifiable, replicable inventory and accounting methodologies for each sector involved, along with the completion

of the stakeholder process identified in executive order number 07-02.

(2) The department of community, trade, and economic development shall work closely with the department of natural resources on any elements of this section's administration that studies or makes recommendations on the role and opportunities of the forest sector.

NEW SECTION. Sec. 405. (1) The climate impacts group at the University of Washington shall:

(a) Produce an analysis of the potential human health impacts of climate change on the state of Washington; and

(b) Produce a fifty-year comprehensive state climate change assessment.

(2)(a) The object of the analysis of potential human health impacts of climate change under this section is to assist state and local public health authorities in preparing for climate change.

(b) The analysis must:

(i) Evaluate the implications of climate change for human morbidity and mortality; and

(ii) Establish qualitative and, to the extent possible, quantitative links between climate and risks to human health in such areas as air quality, disease vectors, and heat stress.

(c) To ensure the appropriateness of this assessment for public health planning, the climate impacts groups shall consult with state and local public health agencies.

(d) If adequate funding is not made available for the completion of all elements required under this section, the climate impacts group shall prioritize which of the enumerated research projects have the greatest cost/benefit ratio in terms of providing information important for planning decisions. The prioritization process may include the addition of any new studies that may be appropriate in addition to, or in place of, studies listed in this section.

(3)(a) The fifty-year comprehensive state climate change assessment under this section will serve as the baseline for future analyses of climate change impacts and response strategies for critical economic and ecological sectors, including agriculture, forests, shorelines, fisheries, and urban centers.

(b) The assessment must:

(i) Develop scenarios and the range of associated uncertainty for the state's climate over the next century;

(ii) Determine how water resources in specific watersheds will respond to these climate change scenarios, including assessment of the risk of current and future extreme events, such as floods and droughts;

(iii) Develop climate change streamflow scenarios for use in water resources and salmon recovery planning;

(iv) Create scenarios of salmon and cold water ecosystem vulnerability to water temperature and low-flows associated with future climate scenarios;

(v) Assess sea level rise scenarios for infrastructure planning purposes. Identify locations and patterns of coastal vulnerability to sea level rise and hydrologic changes;

(vi) Evaluate current legal, regulatory, and institutional barriers to climate change adaptation or preparation; and

(vii) Identify information or data gaps that might preclude adequate state planning for climate change.

(c) If adequate funding is not made available for the completion of all research required under this section, the climate impacts group shall prioritize which of the enumerated research projects have the greatest cost/benefit ratio in terms of providing information important for planning decisions. The prioritization process may include the

addition of any new studies that may be appropriate in addition to, or in place of, studies listed in this section.

(d) To ensure the appropriateness of this assessment for local and state decision making, the climate impacts group shall consult with state and local resource planning and management agencies.

(4) The climate impacts group shall report the assessments to the governor and the appropriate committees of the legislature by December 15, 2008.

Sec. 406. RCW 47.17.020 and 1970 ex.s. c 51 s 5 are each amended to read as follows:

A state highway to be known as state route number 5, and designated as a Washington green highway, is established as follows:

Beginning at the Washington-Oregon boundary line on the interstate bridge over the Columbia river at Vancouver, thence northerly by way of Kelso, Chehalis, Centralia, Olympia, Tacoma, Seattle, Everett and Mt. Vernon, thence northwesterly to the east of Lake Samish, thence northeasterly and northerly by way of Bellingham to the international boundary line in the vicinity of Blaine in Whatcom county.

Sec. 407. RCW 47.17.135 and 1979 ex.s. c 33 s 3 are each amended to read as follows:

A state highway to be known as state route number 82, and designated as a Washington green highway, is established as follows:

Beginning at a junction with state route number 90 in the vicinity of Ellensburg, thence southerly and easterly by way of Yakima, Union Gap, Sunnyside, Prosser, Kiona, and Goose Gap west of Richland, thence southeasterly near Kennewick and southwesterly by way of the vicinity of Plymouth to a crossing of the Columbia river at the Washington-Oregon boundary line.

Sec. 408. RCW 47.17.140 and 1991 c 56 s 2 are each amended to read as follows:

A state highway to be known as state route number 90, and designated as the American Veterans Memorial Highway as well as a Washington green highway, is established as follows:

Beginning at a junction with state route number 5, thence, via the west approach to the Lake Washington bridge in Seattle, in an easterly direction by way of Mercer Island, North Bend, Snoqualmie pass, Ellensburg, Vantage, Moses Lake, Ritzville, Sprague and Spokane to the Washington-Idaho boundary line.

PART 5 MISCELLANEOUS

NEW SECTION. Sec. 501. Part headings used in this act are not any part of the law.

NEW SECTION. Sec. 502. The office of the superintendent of public instruction may adopt any rules necessary for the implementation of this act.

NEW SECTION. Sec. 503. The following sections are codified and recodified as a new chapter in Title 43 RCW entitled "Energy Freedom Authority":

RCW 15.110.005;
RCW 15.110.010;
RCW 15.110.020;
RCW 15.110.030;
RCW 15.110.040;
RCW 15.110.050;
RCW 15.110.060;

RCW 15.110.900;
RCW 15.110.901;
Section 303 of this act;
Section 307 of this act; and
Section 404 of this act.

NEW SECTION. Sec. 504. Sections 302 through 309 and 404 of this act expire June 30, 2016.

NEW SECTION. Sec. 505. A new section is added to chapter 43.135 RCW to read as follows:

RCW 43.135.035(4) does not apply to the transfers established in this act."

On page 1, line 3 of the title, after "emissions;" strike the remainder of the title and insert "amending RCW 70.94.017, 53.08.040, 43.19.642, 15.110.010, 15.110.020, 15.110.030, 15.110.040, 15.110.050, 15.110.060, 47.17.020, 47.17.135, and 47.17.140; adding a new section to chapter 28A.300 RCW; adding new sections to chapter 43.19 RCW; adding a new section to chapter 43.01 RCW; adding a new section to chapter 89.08 RCW; adding a new section to chapter 35.21 RCW; adding a new section to chapter 35.92 RCW; adding a new section to chapter 54.04 RCW; adding a new section to chapter 28B.30 RCW; adding a new section to chapter 43.135 RCW; adding a new chapter to Title 43 RCW; creating new sections; recodifying RCW 15.110.005, 15.110.010, 15.110.020, 15.110.030, 15.110.040, 15.110.050, 15.110.060, 15.110.900, and 15.110.901; and providing expiration dates."

Representative Warnick moved the adoption of amendment (267) to amendment (225):

On page 3, beginning on line 8 of the amendment, strike all of section 102, and insert the following:

"NEW SECTION. Sec. 102. (1) By July 31, 2008, the energy freedom coordinator created in section 303 of this act shall investigate and deliver a report to the governor and the appropriate committees of the legislature on the best way for the state to develop an incentive program that accelerates the purchase of newer school buses or the replacement of older school buses or that otherwise addresses the issues identified in section 101 of this act.

(2) In developing recommendations under this section, the energy freedom coordinator shall consider:

(a) The health impact on the interior cabin air quality for retrofitted school buses or buses operating on alternative fuels, especially in colder temperatures;

(b) The potential financial impact to school districts that purchase used school buses, and to other purchasers of used school buses, if replaced school buses are not allowed to be resold;

(c) The difference in the amount of money a school district would receive if it was required to sell a replaced school bus for scrap, as opposed to selling it for future use as a used bus;

(d) The appropriate percentage of the replacement cost for a new school bus that must be paid by the state to induce the maximum number of school districts to participate in the incentive program;

(e) The accessibility, reliability, and safety of alternative fuels that can be used in school buses; and

(f) The overall functionality in cold weather of alternative fuels that can be used in school buses."

On page 25, beginning on line 4 of the title amendment, strike "adding a new section to chapter 28A.300 RCW;"

Representative Warnick spoke in favor of the adoption of the amendment to amendment (225):

Representative Dickerson spoke against the adoption of the amendment to amendment (225):

The amendment to amendment (225) was not adopted.

Representative Orcutt moved the adoption of amendment (255) to amendment (225):

On page 5, after line 35 of the amendment, insert the following:

"NEW SECTION. Sec. 105. A new section is added to chapter 82.08 RCW to read as follows:

(1) The tax levied by RCW 82.08.020 does not apply to sales of emissions control equipment, or for labor and services rendered in respect to installing, repairing, cleaning, altering, or improving the equipment, including repair and replacement parts, if the equipment is used to retrofit diesel vehicles.

(2) For the purposes of this section, "emissions control equipment" means a device with an oxidation catalyst, particulate filter, crankcase ventilation filter, or other means of reducing emissions from diesel vehicles, and that has been verified under the federal environmental protection agency's voluntary diesel retrofit program.

NEW SECTION. Sec. 106. A new section is added to chapter 82.12 RCW to read as follows:

(1) The provisions of this chapter do not apply in respect to the use of emissions control equipment, or of labor and services rendered in respect to installing, repairing, cleaning, altering, or improving the equipment, if the equipment is used to retrofit diesel vehicles.

(2) For the purposes of this section, the definitions in section 105 of this act apply."

On page 24, after line 30 of the amendment, insert the following:

"NEW SECTION. Sec. 506. Sections 105 and 106 of this act take effect August 1, 2007."

On page 25, line 5 of the title amendment, after "28A.300 RCW;" insert "adding a new section to chapter 82.08 RCW; adding a new section to chapter 82.12 RCW;"

On page 25, line 13 of the title amendment, after "15.110.901;" insert "providing an effective date;"

Representative Orcutt spoke in favor of the adoption of the amendment to amendment (225):

Representative Dickerson spoke against the adoption of the amendment to amendment (225):

The amendment to amendment (225): was not adopted.

Representative Dickerson spoke in favor of the adoption of the amendment (225).

The amendment 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 Dickerson and B. Sullivan spoke in favor of passage of the bill.

Representatives Roach and Dunn spoke against the passage of the bill.

SPEAKER'S RULING

The Speaker (Representative Lovick presiding) reminded the members not to walk in front of other members speaking.

POINT OF ORDER

Representative Springer: ***

SPEAKER'S RULING

Mr. Speaker (Representative Lovick presiding): ***

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 1303.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1303 and the bill passed the House by the following vote: Yeas - 79, Nays - 18, Absent - 0, Excused - 1.

Voting yea: Representatives Alexander, Anderson, Appleton, Bailey, Barlow, Blake, Buri, Campbell, Chase, Clibborn, Cody, Conway, Curtis, Darneille, Dickerson, Dunshee, Eddy, Eickmeyer, Ericks, Flannigan, Fromhold, Goodman, Grant, Green, Haigh, Haler, Hankins, Hasegawa, Hudgins, Hunt, Hunter, Hurst, Jarrett, Kagi, Kelley, Kenney, Kessler, Kirby, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Newhouse, O'Brien, Orcutt, Ormsby, Pedersen, Pettigrew, Priest, Quall, Roberts, Rodne, Rolfes, Santos, Schual-Berke, Seaquist, Sells, Simpson, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Takko, Upthegrove, Van De Wege, Wallace, Walsh, Williams, Wood and Mr. Speaker - 79.

Voting nay: Representatives Ahern, Armstrong, Chandler, Condotta, Crouse, DeBolt, Dunn, Ericksen, Hailey, Hinkle, Kretz, Kristiansen, Pearson, Roach, Ross, Schindler, Skinner and Warnick - 18.

Excused: Representative Sump - 1.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1303, having received the necessary constitutional majority, was declared passed.

STATEMENT FOR THE JOURNAL

I intended to vote YEA on ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1303.

RICHARD DEBOLT, 20th District

HOUSE BILL NO. 1401, By Representatives Pettigrew, Springer, Dunn, McCune, Miloscia, Chase and Santos

Regarding the acquisition of land for affordable housing.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1401 was substituted for House Bill No. 1401 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1401 was read the second time.

Representative Dunn moved the adoption of amendment (230):

Strike everything after the enacting clause and insert the following:

"**NEW SECTION. Sec. 1.** The legislature finds that first-time home buyers in Washington state have been priced out of the housing market in many counties. The legislature finds that many organizations, including local governments, have recognized the affordable housing crisis for first-time home buyers. The legislature finds that, for example, as reported in King county's benchmark growth report, "buying a first home remains extremely difficult for those under one hundred twenty percent of median income." The legislature further finds that growth management regulations contribute to the high cost of housing in many Washington counties, and that loosening land use regulations will reduce housing prices. The legislature finds that numerous studies have determined that growth management restrictions increase the cost of housing.

The legislature intends to make housing more affordable for first-time home buyers in counties where housing is currently not affordable for first-time home buyers. The legislature intends to do this by allowing single-family detached residential development to be placed outside of urban growth boundaries at density levels currently prohibited under the prevailing interpretation of the growth management act. These single-family detached homes could be placed outside of urban growth boundaries in counties where the first-time buyer housing affordability index demonstrates that housing is not affordable for first-time home buyers.

NEW SECTION. Sec. 2. A new section is added to chapter 36.70A RCW to read as follows:

(1) As used in this chapter, "first-time buyer housing affordability index" means the index determined by the Washington center for real estate research that measures the ability of a typical renter household to afford the purchase of a typical starter home by assuming: (a) The household will purchase a home priced at eighty-five percent of area median household income with a ten percent down payment; (b) the home mortgage loan is for a term of thirty years at the prevailing average fixed rate of interest; (c) the potential first-time home buyer earns seventy percent of the area median household income and twenty-five percent of household income can be used for principal and interest payments.

(2) For purposes of this chapter, a first-time buyer housing affordability index of: (a) One hundred indicates that a household of the defined income can afford a home of the defined price; (b) less than one hundred indicates that a household of the defined income cannot afford a home of the defined price without spending more than twenty-five percent of their income on mortgage payments; and (c) greater than one hundred indicates that a household of the defined income can afford a home of the defined price while spending less than twenty-five percent of their income on mortgage payments.

NEW SECTION. Sec. 3. A new section is added to chapter 36.70A RCW to read as follows:

(1)(a) In any county planning under RCW 36.70A.040 in which the first-time buyer housing affordability index, as defined by section 2 of this act, and as determined by the Washington center for real estate research at Washington State University, is less than one hundred for three quarters in any given year, for the following two years the county may permit single-family detached residential development of any density outside the urban growth area designated according to RCW 36.70A.110. For purposes of this chapter, single-family detached residential development authorized according to this section shall not be considered urban growth located outside of an urban growth area. Services provided to single-family detached residential development permitted under this section shall not be considered urban services located outside of an urban growth area.

(b) Any county planning under RCW 36.70A.040 implementing (a) of this subsection may:

(i) Change its comprehensive plan and development regulations after the determination in (a) of this subsection has been made by the Washington center for real estate research to provide new locations for or increased density of single-family detached residential development as provided for in (a) of this subsection; or

(ii) Incorporate sections in its comprehensive plan and enact development regulations that provide new locations for or increased density of single-family detached residential development which are contingent upon a determination under (a) of this subsection that the first-time buyer housing affordability index was less than one hundred for three quarters in any given year. In the event that the county chooses to enact sections of its comprehensive plan and development regulations, the county may provide that these sections and regulations take effect January 1st of any year following the determination by the Washington center for real estate research.

(2) The year-long period measured by the Washington center for real estate research under subsection (1) of this section shall begin and end in the third quarter of the calendar year. The time period for which the ability to permit single-family residential development under subsection (1) of this section shall begin January 1st of the year following the determination by the Washington center for real estate research."

Correct the title.

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

Representative Fromhold spoke against the adoption of the amendment.

The amendment was not adopted.

Representative Schindler moved the adoption of amendment (241):

____Strike everything after the enacting clause and insert the following:____

NEW SECTION. Sec. 1. A new section is added to chapter 36.70A RCW to read as follows:

(1)(a) A county planning under RCW 36.70A.040 may establish, in consultation with cities, a process for authorizing the siting of new mobile home parks and manufactured housing communities outside of urban growth areas designated under RCW 36.70A.110.

(b) For purposes of this section, "mobile home park" or "manufactured housing community" has the same meaning as defined in RCW 59.20.030.

(2) A county considering an application to site a new mobile home park or manufactured housing community outside of an urban growth area may approve the siting if the following criteria are met:

(a) The proposed site is adjacent to or in close proximity to an urban growth area;

(b) Affordable housing will be provided within the mobile home park or manufactured housing community for a range of income levels;

(c) Appropriate infrastructure and services for the site are available or have been provided for;

(d) Environmental protection issues for the site, including air and water quality issues, have been provided for;

(e) Development regulations have been established to ensure that urban growth will not occur in adjacent nonurban areas;

(f) Provisions to mitigate adverse impacts on designated agricultural lands, forest lands, and mineral resource lands have been made; and

(g) The siting of the mobile home park or manufactured housing community does not conflict with development regulations adopted by the county to protect critical areas.

(3) Final approval of an application to site a mobile home park or manufactured housing community as provided in this section does not constitute an adopted amendment to the comprehensive plan adopted under RCW 36.70A.070.

Sec. 2. RCW 82.02.090 and 1990 1st ex.s. c 17 s 48 are each amended to read as follows:

Unless the context clearly requires otherwise, the following definitions shall apply in RCW 82.02.050 through 82.02.090:

(1) "Development activity" means any construction or expansion of a building, structure, or use, any change in use of a building or structure, or any changes in the use of land, that creates additional demand and need for public facilities. "Development activity" does not include the authorized siting of a mobile home park or manufactured housing community under section 1 of this act.

(2) "Development approval" means any written authorization from a county, city, or town which authorizes the commencement of development activity.

(3) "Impact fee" means a payment of money imposed upon development as a condition of development approval to pay for public facilities needed to serve new growth and development, and that is reasonably related to the new development that creates additional demand and need for public facilities, that is a proportionate share of the cost of the public facilities, and that is used for facilities that reasonably benefit the new development. "Impact fee" does not include a reasonable permit or application fee.

(4) "Owner" means the owner of record of real property, although when real property is being purchased under a real estate contract, the purchaser shall be considered the owner of the real property if the contract is recorded.

(5) "Proportionate share" means that portion of the cost of public facility improvements that are reasonably related to the service demands and needs of new development.

(6) "Project improvements" mean site improvements and facilities that are planned and designed to provide service for a particular development project and that are necessary for the use and convenience of the occupants or users of the project, and are not system improvements. No improvement or facility included in a capital facilities plan approved by the governing body of the county, city, or town shall be considered a project improvement.

(7) "Public facilities" means the following capital facilities owned or operated by government entities: (a) Public streets and roads; (b) publicly owned parks, open space, and recreation facilities; (c) school facilities; and (d) fire protection facilities in jurisdictions that are not part of a fire district.

(8) "Service area" means a geographic area defined by a county, city, town, or intergovernmental agreement in which a defined set of public facilities provide service to development within the area. Service areas shall be designated on the basis of sound planning or engineering principles.

(9) "System improvements" mean public facilities that are included in the capital facilities plan and are designed to provide service to service areas within the community at large, in contrast to project improvements.

NEW SECTION. Sec. 3. A new section is added to chapter 43.21C RCW to read as follows:

The authorized siting of a mobile home park or manufactured housing community under section 1 of this act is exempted from compliance with this chapter."

Correct the title.

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

Representative Fromhold spoke against the adoption of the amendment.

The amendment was not adopted.

Representative Dunn moved the adoption of amendment (244):

On page 1, line 17, after "organizations" strike ", described under RCW 43.185A.040,"

On page 2, line 7, after "this", strike "chapter, "market rate"" and insert "section:

(a) "Eligible organization" means any entity the department deems eligible under state law for participation in this program and includes, but is not limited to, the organizations listed in RCW 43.185A.040; and

(b) "Market rate""

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

Representative Fromhold spoke against the adoption of the amendment.

The amendment was not adopted.

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

Representatives Pettigrew, Orcutt and Dunn spoke in favor of passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 1401.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1401 and the bill passed the House by the following vote: Yeas - 96, Nays - 1, Absent - 0, Excused - 1.

Voting yea: Representatives Ahern, Alexander, Appleton, Armstrong, Bailey, Barlow, Blake, Buri, Campbell, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eddy, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Goodman, Grant, Green, Haigh, Hailey, Haler, Hankins, Hasegawa, Hinkle, Hudgins, Hunt, Hunter, Hurst, Jarrett, Kagi, Kelley, Kenney, Kessler, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Newhouse, O'Brien, Orcutt, Ormsby, Pearson, Pedersen, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schindler, Schual-Berke, Seaquist, Sells, Simpson, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, Williams, Wood and Mr. Speaker - 96.

Voting nay: Representative Anderson - 1.

Excused: Representative Sump - 1.

SECOND SUBSTITUTE HOUSE BILL NO. 1401, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1569, By Representatives Cody, Campbell, Morrell, Linville, Moeller, Green, Seaquist, Conway, Dickerson, Appleton, McIntire, McCoy, Kagi, Pedersen, Kenney, Lantz, Santos, Wood and Ormsby

Reforming the health care system in Washington state.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1569 was substituted for House Bill No. 1569 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1569 was read the second time.

With the consent of the House, amendments (269) and (080) were withdrawn.

Representative Cody moved the adoption of amendment (084):

On page 7, line 2, strike "January" and insert "July"

On page 7, line 3, strike "October 1, 2008" and insert "April 1, 2009"

On page 7, line 5, strike "March" and insert "October"

Representatives Cody and Hinkle spoke in favor of the adoption of the amendment.

The amendment was adopted.

Representative Ericksen moved the adoption of amendment (078):

On page 22, line 13, strike "~~((to a small group))~~" and insert "to a small group and"

On page 24, line 15, strike "~~((to a small group))~~" and insert "to a small group and"

On page 27, line 23, strike all of Section 306

Renumber the remaining sections consecutively and correct internal references accordingly.

On page 27, line 29, after "plan" strike all material through "~~48.21.045(3))~~" on line 30 and insert "to any small employer without complying with RCW 48.21.045(3) and"

On page 27, line 36, strike "~~((48.21.045(3)))~~" and insert "48.21.045(3) and"

On page 28, line 6, after "plan" strike all material through "~~48.44.023(3)~~" on line 7 and insert "to any small employer without complying with RCW 48.44.023(3) and"

On page 28, line 12, after "to" strike "~~(48.44.023(3))~~" and insert "48.44.023(3) and"

On page 28, line 18, after "plan" strike all material through "~~48.46.066(3)~~" on line 19 and insert "to any small employer without complying with RCW 48.46.066(3) and"

On page 28, line 24, strike "~~((48.46.066(3)))~~" and insert "48.46.066(3) and"

On page 28, line 31, after "in" strike all material through "~~RCW 48.46.066(1)(b))~~" and insert "RCW 48.21.045(1)(b), 48.44.023(1)(b), (~~and~~) 48.46.066(1)(b), and"

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

Representative Cody spoke against the adoption of the amendment.

The amendment was not adopted.

Representative Ericksen moved the adoption of amendment (079):

On page 29, after line 23, insert the following:

"NEW SECTION. Sec. 404. A new section is added to chapter 82.04 RCW to read as follows:

(1) In computing tax there may be deducted from the measure of tax the amount paid by small employers to provide health care services for its employees. Payments made by employees are not eligible for deduction under this subsection.

(2) For the purposes of this section, the following definitions apply:

(a) "Small employer" has the meaning provided in RCW 48.43.005.

(b) "Health care services" means a health benefit plan as defined in RCW 48.43.005, contributions to health savings accounts as defined by the United States internal revenue service, or other health care services purchased by the small employer for its employees.

NEW SECTION. Sec. 405. Section 404 of this act takes effect August 1, 2007."

Correct internal references accordingly.

Correct the title.

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

Representative McIntire spoke against the adoption of the amendment.

The amendment was not adopted.

Representative Bailey moved the adoption of amendment (115):

On page 18, line 24, strike all of section 302 and insert the following:

"NEW SECTION. Sec. 302.

(1) An insurer offering any health benefit plan to a small employer, either directly or through an association or member-governed group formed specifically for the purpose of purchasing health care, may offer and actively market to the small employer no more than one health benefit plan featuring a limited schedule of covered health care services.

(a) The plan offered under this subsection may be offered with a choice of cost-sharing arrangements, and may, but is not required to, comply with: RCW 48.21.130 through 48.21.240, 48.21.244 through 48.21.280, 48.21.300 through 48.21.320, 48.43.045(1) except as required in (b) of this subsection, 48.43.093, 48.43.115 through 48.43.185, 48.43.515(5), or 48.42.100.

(b) In offering the plan under this subsection, the insurer must offer the small employer the option of permitting every category of health care provider to provide health services or care for conditions covered by the plan pursuant to RCW 48.43.045(1).

(2) An insurer offering the plan under subsection (1) of this section must also offer and actively market to the small employer at least one additional health benefit plan.

(3) Nothing in this section shall prohibit an insurer from offering, or a purchaser from seeking, health benefit plans with benefits in excess of the health benefit plan offered under subsection (1) of this section. All forms, policies, and contracts shall be submitted for approval to the commissioner, and the rates of any plan offered under this section shall be reasonable in relation to the benefits thereto.

(4) Premium rates for health benefit plans for small employers as defined in this section shall be subject to the following provisions:

(a) The insurer shall develop its rates based on an adjusted community rate and may only vary the adjusted community rate for:

- (i) Geographic area;
- (ii) Family size;
- (iii) Age; and
- (iv) Wellness activities.

(b) The adjustment for age in (a)(iii) of this subsection may not use age brackets smaller than five-year increments, which shall begin with age twenty and end with age sixty-five. Employees under the age of twenty shall be treated as those age twenty.

(c) The insurer shall be permitted to develop separate rates for individuals age sixty-five or older for coverage for which medicare is the primary payer and coverage for which medicare is not the primary payer. Both rates shall be subject to the requirements of this subsection (4).

(d) The permitted rates for any age group shall be no more than four hundred twenty-five percent of the lowest rate for all age groups on January 1, 1996, four hundred percent on January 1, 1997, and three hundred seventy-five percent on January 1, 2000, and thereafter.

(e) A discount for wellness activities shall be permitted to reflect actuarially justified differences in utilization or cost attributed to such programs.

(f) The rate charged for a health benefit plan offered under this section may not be adjusted more frequently than annually except that the premium may be changed to reflect:

- (i) Changes to the enrollment of the small employer;
- (ii) Changes to the family composition of the employee;
- (iii) Changes to the health benefit plan requested by the small employer; or
- (iv) Changes in government requirements affecting the health benefit plan.

(g) Rating factors shall produce premiums for identical groups that differ only by the amounts attributable to plan design, with the exception of discounts for health improvement programs.

(h) For the purposes of this section, a health benefit plan that contains a restricted network provision shall not be considered similar coverage to a health benefit plan that does not contain such a provision, provided that the restrictions of benefits to network providers result in substantial differences in claims costs. A carrier may develop its rates based on claims costs for a plan. This subsection does not restrict or enhance the portability of benefits as provided in RCW 48.43.015.

(i) Except for small group health benefit plans that qualify as insurance coverage combined with a health savings account as defined by the United States internal revenue service, adjusted community rates established under this section shall pool the medical experience of all small groups purchasing coverage. However, annual rate adjustments for each small group health benefit plan may vary by up to plus or minus eight percentage points from the overall adjustment of a carrier's entire small group pool. A variation that is not denied within thirty days shall be deemed approved. The commissioner must provide to the carrier a detailed actuarial justification for any denial at the time of the denial.

(5) Nothing in this section shall restrict the right of employees to collectively bargain for insurance providing benefits in excess of those provided herein.

(6)(a) Except as provided in this subsection, requirements used by an insurer in determining whether to provide coverage to a small employer shall be applied uniformly among all small employers applying for coverage or receiving coverage from the carrier.

(b) An insurer shall not require a minimum participation level greater than:

- (i) One hundred percent of eligible employees working for groups with three or less employees; and
- (ii) Seventy-five percent of eligible employees working for groups with more than three employees.

(c) In applying minimum participation requirements with respect to a small employer, a small employer shall not consider employees or dependents who have similar existing coverage in determining whether the applicable percentage of participation is met.

(d) An insurer may not increase any requirement for minimum employee participation or modify any requirement for minimum employer contribution applicable to a small employer at any time after the small employer has been accepted for coverage.

(7) An insurer must offer coverage to all eligible employees of a small employer and their dependents. An insurer may not offer coverage to only certain individuals or dependents in a small employer group or to only part of the group. An insurer may not modify a health plan with respect to a small employer or any eligible employee or dependent, through riders, endorsements or otherwise, to restrict or exclude coverage or benefits for specific diseases, medical conditions, or services otherwise covered by the plan.

(8) As used in this section, "health benefit plan," "small employer," "adjusted community rate," and "wellness activities" mean the same as defined in RCW 48.43.005."

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

Representative Cody spoke against the adoption of the amendment.

The amendment was not adopted.

The bill was ordered engrossed.

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

Representatives Cody, Hinkle and Morrell spoke in favor of passage of the bill.

Representatives Condotta and Alexander spoke against the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 1569.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1569 and the bill passed the House by the following vote: Yeas - 53, Nays - 44, Absent - 0, Excused - 1.

Voting yea: Representatives Barlow, Blake, Campbell, Chase, Clibborn, Cody, Conway, Darneille, Dickerson, Dunshee, Eddy, Flannigan, Fromhold, Goodman, Green, Haigh, Hasegawa, Hinkle, Hudgins, Hunt, Hunter, Kagi, Kenney, Kirby, Lantz, Linville, Lovick, McCoy, McDermott, McIntire, Miloscia, Moeller, Morrell, Morris, Ormsby, Pedersen, Pettigrew, Roberts, Rolfes, Santos, Schual-Berke, Seaquist, Sells, Simpson, Sommers, Springer, Sullivan, B., Upthegrove, Van De Wege, Wallace, Williams, Wood and Mr. Speaker - 53.

Voting nay: Representatives Ahern, Alexander, Anderson, Appleton, Armstrong, Bailey, Buri, Chandler, Condotta, Crouse, Curtis, DeBolt, Dunn, Eickmeyer, Ericks, Ericksen, Grant, Hailey, Haler, Hankins, Hurst, Jarrett, Kelley, Kessler, Kretz, Kristiansen, McCune, McDonald, Newhouse, O'Brien, Orcutt, Pearson, Priest, Quall, Roach, Rodne, Ross, Schindler, Skinner, Strow, Sullivan, P., Takko, Walsh and Warnick - 44.

Excused: Representative Sump - 1.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1569, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1588, By Representatives Upthegrove, Wood, Hudgins, Takko, Moeller and Simpson

Providing mobility education to students in driver training programs.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1588 was substituted for House Bill No. 1588 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1588 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 Upthegrove, Kenney and Santos spoke in favor of passage of the bill.

Representative Armstrong spoke against the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1588.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1588 and the bill passed the House by the following vote: Yeas - 67, Nays - 30, Absent - 0, Excused - 1.

Voting yea: Representatives Appleton, Barlow, Blake, Campbell, Chase, Clibborn, Cody, Conway, Darneille, Dickerson, Dunshee, Eddy, Eickmeyer, Ericks, Flannigan, Fromhold, Goodman, Grant, Haigh, Hasegawa, Hudgins, Hunt, Hunter, Jarrett, Kagi, Kelley, Kenney, Kessler, Kirby, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, O'Brien, Ormsby, Pedersen, Pettigrew, Priest, Quall, Roberts, Rolfes, Santos, Schual-Berke, Seaquist, Sells, Simpson, Skinner, Sommers, Springer, Sullivan, B., Sullivan, P., Takko, Upthegrove, Van De Wege, Wallace, Walsh, Williams, Wood and Mr. Speaker - 67.

Voting nay: Representatives Ahern, Alexander, Anderson, Armstrong, Bailey, Buri, Chandler, Condotta, Crouse, Curtis, DeBolt, Dunn, Ericksen, Green, Hailey, Haler, Hankins, Hinkle, Hurst, Kretz, Kristiansen, Newhouse, Orcutt, Pearson, Roach, Rodne, Ross, Schindler, Strow and Warnick - 30.

Excused: Representative Sump - 1.

SUBSTITUTE HOUSE BILL NO. 1588, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1902, By Representatives Grant, Newhouse, Linville, Orcutt, Blake, Hailey, Walsh, P. Sullivan, Kristiansen, Dunn and Hinkle

Concerning the sales and use taxation of repairs to farm machinery and equipment.

The bill was read the second time.

Representative Hunter moved the adoption of amendment (189):

On page 3, line 18, after "certificates" insert "take effect on the date"

On page 3, line 19, after "for" insert "the remainder of"

On page 4, line 14, strike "repayment" and insert "((repayment) payment"

On page 4, line 32, after "sales" insert "or harvested value"

On page 4, beginning on line 34, strike "a claim of exemption is made under this section" and insert "((a claim of exemption is made under this section)) an application for exemption under this section is submitted to the department"

On page 5, line 1, strike "by" and insert "((by)) or harvested value of agricultural products that"

On page 5, beginning on line 2, strike "of agricultural products that they" and insert "((of agricultural products that they))"

On page 5, line 14, after "(c)" insert """Farm vehicle" has the same meaning as in RCW 46.04.181."

(d) "Harvested value" means the number of units of the agricultural product that were grown, raised, or produced, multiplied by the average sales price of the agricultural product. For purposes of this subsection (4)(d), "average sales price" means the average price per unit of agricultural product received by farmers in this state as reported by the United States department of agriculture's national agricultural statistics service for the twelve-month period that coincides with, or that begins or ends closest to, the calendar year immediately preceding the calendar year during which an application for exemption under this section is submitted to the department or the first full calendar year during which a person engages in business as a farmer, as the case may be, regardless of whether the prices are subject to revision. If the price per unit of an agricultural product received by farmers in this state is not available from the national agricultural statistics service, average sales price may be determined by using the average price per unit of agricultural product received by farmers in this state as reported by a recognized authority for the agricultural product.

____(e)"

Correct any internal references accordingly.

On page 5, beginning on line 18, after "(i)" strike all material through "(i)" on line 21, and insert "((Farm vehicles and other)) Vehicles as ((those terms are defined in chapter 46.04 RCW, except)) defined in RCW 46.04.670, other than farm tractors as defined in"

RCW 46.04.180, farm vehicles, and other farm implements. For purposes of this subsection ~~((4)(c))~~ (3)(d)(i)"

On page 5, line 28, strike "(d)" and insert "~~((4))~~ (f)"

Representatives Hunter and Orcutt spoke in favor of the adoption of the amendment.

The amendment was adopted.

With the consent of the House, amendment (150) was withdrawn.

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 Grant, Newhouse, Orcutt and Grant (again) spoke in favor of passage of the bill.

Representative McIntire spoke against the passage of the bill.

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

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1902 and the bill passed the House by the following vote: Yeas - 88, Nays - 9, Absent - 0, Excused - 1.

Voting yea: Representatives Ahern, Alexander, Appleton, Armstrong, Bailey, Barlow, Blake, Buri, Campbell, Chandler, Clibborn, Cody, Condotta, Conway, Crouse, Curtis, Darneille, DeBolt, Dunn, Dunshee, Eddy, Eickmeyer, Ericks, Ericksen, Fromhold, Goodman, Grant, Green, Haigh, Hailey, Haler, Hankins, Hinkle, Hudgins, Hunt, Hunter, Hurst, Jarrett, Kelley, Kenney, Kessler, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, Miloscia, Morrell, Morris, Newhouse, O'Brien, Orcutt, Ormsby, Pearson, Pedersen, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schindler, Schual-Berke, Seaquist, Sells, Simpson, Skinner, Springer, Strow, Sullivan, B., Sullivan, P., Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, Williams, Wood and Mr. Speaker - 88.

Voting nay: Representatives Anderson, Chase, Dickerson, Flannigan, Hasegawa, Kagi, McIntire, Moeller and Sommers - 9.

Excused: Representative Sump - 1.

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

HOUSE BILL NO. 1727, By Representatives Springer, Eddy, Dunn, Pettigrew, B. Sullivan, Buri, Strow, Ahern, Orcutt, Takko, Anderson, Haler, Upthegrove, Simpson, Jarrett, Rodne, Sells, O'Brien, Newhouse, Miloscia, Hinkle, Walsh, McCune, Kagi, Williams, Lovick, Linville, Quall, McDonald, Warnick, Kristiansen, Hurst, Seaquist, Kenney and P. Sullivan

Planning to ensure sufficient land and densities available to accommodate growth.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1727 was substituted for House Bill No. 1727 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1727 was read the second time.

Representative Springer moved the adoption of amendment (191):

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 36.70A.070 and 2005 c 360 s 2 are each amended to read as follows:

The comprehensive plan of a county or city that is required or chooses to plan under RCW 36.70A.040 shall consist of a map or maps, and descriptive text covering objectives, principles, and standards used to develop the comprehensive plan. The plan shall be an internally consistent document and all elements shall be consistent with the future land use map. A comprehensive plan shall be adopted and amended with public participation as provided in RCW 36.70A.140.

Each comprehensive plan shall include a plan, scheme, or design for each of the following:

(1) A land use element designating the proposed general distribution and general location and extent of the uses of land, where appropriate, for agriculture, timber production, housing, commerce, industry, recreation, open spaces, general aviation airports, public utilities, public facilities, and other land uses. The land use element shall include population densities, building intensities, and estimates of future population growth. The land use element shall designate, as appropriate, a sufficient quantity of land needed for residential, commercial, and industrial uses. The land use element shall provide for protection of the quality and quantity of ground water used for public water supplies. Wherever possible, the land use element should consider utilizing urban planning approaches that promote physical activity. Where applicable, the land use element shall review drainage, flooding, and storm water run-off in the area and nearby jurisdictions and provide guidance for corrective actions to mitigate or cleanse those discharges that pollute waters of the state, including Puget Sound or waters entering Puget Sound.

(2) A housing element ensuring the vitality and character of established residential neighborhoods that: (a) Includes an inventory and analysis of existing and projected housing needs that identifies the number of housing units necessary to ~~((manage))~~ accommodate projected growth; (b) includes a statement of goals, policies,

objectives, and mandatory provisions for the preservation, improvement, and development of housing, including single-family residences; (c) identifies a sufficient quantity of land suitable for meeting the existing and projected housing needs identified in (a) of this subsection, including, but not limited to, government-assisted housing, housing for low-income families, manufactured housing, multifamily housing, and group homes and foster care facilities; and (d) makes adequate provisions for existing and projected needs of all economic segments of the community.

(3) A capital facilities plan element consisting of: (a) An inventory of existing capital facilities owned by public entities, showing the locations and capacities of the capital facilities; (b) a forecast of the future needs for such capital facilities; (c) the proposed locations and capacities of expanded or new capital facilities; (d) at least a six-year plan that will finance such capital facilities within projected funding capacities and clearly identifies sources of public money for such purposes; and (e) a requirement to reassess the land use element if probable funding falls short of meeting existing needs and to ensure that the land use element, capital facilities plan element, and financing plan within the capital facilities plan element are coordinated and consistent. Park and recreation facilities shall be included in the capital facilities plan element.

(4) A utilities element consisting of the general location, proposed location, and capacity of all existing and proposed utilities, including, but not limited to, electrical lines, telecommunication lines, and natural gas lines.

(5) Rural element. Counties shall include a rural element including lands that are not designated for urban growth, agriculture, forest, or mineral resources. The following provisions shall apply to the rural element:

(a) Growth management act goals and local circumstances. Because circumstances vary from county to county, in establishing patterns of rural densities and uses, a county may consider local circumstances, but shall develop a written record explaining how the rural element harmonizes the planning goals in RCW 36.70A.020 and meets the requirements of this chapter.

(b) Rural development. The rural element shall permit rural development, forestry, and agriculture in rural areas. The rural element shall provide for a variety of rural densities, uses, essential public facilities, and rural governmental services needed to serve the permitted densities and uses. To achieve a variety of rural densities and uses, counties may provide for clustering, density transfer, design guidelines, conservation easements, and other innovative techniques that will accommodate appropriate rural densities and uses that are not characterized by urban growth and that are consistent with rural character.

(c) Measures governing rural development. The rural element shall include measures that apply to rural development and protect the rural character of the area, as established by the county, by:

- (i) Containing or otherwise controlling rural development;
- (ii) Assuring visual compatibility of rural development with the surrounding rural area;
- (iii) Reducing the inappropriate conversion of undeveloped land into sprawling, low-density development in the rural area;
- (iv) Protecting critical areas, as provided in RCW 36.70A.060, and surface water and ground water resources; and
- (v) Protecting against conflicts with the use of agricultural, forest, and mineral resource lands designated under RCW 36.70A.170.

(d) Limited areas of more intensive rural development. Subject to the requirements of this subsection and except as otherwise specifically provided in this subsection (5)(d), the rural element may

allow for limited areas of more intensive rural development, including necessary public facilities and public services to serve the limited area as follows:

(i) Rural development consisting of the infill, development, or redevelopment of existing commercial, industrial, residential, or mixed-use areas, whether characterized as shoreline development, villages, hamlets, rural activity centers, or crossroads developments.

(A) A commercial, industrial, residential, shoreline, or mixed-use area shall be subject to the requirements of (d)(iv) of this subsection, but shall not be subject to the requirements of (c)(ii) and (iii) of this subsection.

(B) Any development or redevelopment other than an industrial area or an industrial use within a mixed-use area or an industrial area under this subsection (5)(d)(i) must be principally designed to serve the existing and projected rural population.

(C) Any development or redevelopment in terms of building size, scale, use, or intensity shall be consistent with the character of the existing areas. Development and redevelopment may include changes in use from vacant land or a previously existing use so long as the new use conforms to the requirements of this subsection (5);

(ii) The intensification of development on lots containing, or new development of, small-scale recreational or tourist uses, including commercial facilities to serve those recreational or tourist uses, that rely on a rural location and setting, but that do not include new residential development. A small-scale recreation or tourist use is not required to be principally designed to serve the existing and projected rural population. Public services and public facilities shall be limited to those necessary to serve the recreation or tourist use and shall be provided in a manner that does not permit low-density sprawl;

(iii) The intensification of development on lots containing isolated nonresidential uses or new development of isolated cottage industries and isolated small-scale businesses that are not principally designed to serve the existing and projected rural population and nonresidential uses, but do provide job opportunities for rural residents. Rural counties may allow the expansion of small-scale businesses as long as those small-scale businesses conform with the rural character of the area as defined by the local government according to RCW 36.70A.030((+4)) (15). Rural counties may also allow new small-scale businesses to utilize a site previously occupied by an existing business as long as the new small-scale business conforms to the rural character of the area as defined by the local government according to RCW 36.70A.030((+4)) (15). Public services and public facilities shall be limited to those necessary to serve the isolated nonresidential use and shall be provided in a manner that does not permit low-density sprawl;

(iv) A county shall adopt measures to minimize and contain the existing areas or uses of more intensive rural development, as appropriate, authorized under this subsection. Lands included in such existing areas or uses shall not extend beyond the logical outer boundary of the existing area or use, thereby allowing a new pattern of low-density sprawl. Existing areas are those that are clearly identifiable and contained and where there is a logical boundary delineated predominately by the built environment, but that may also include undeveloped lands if limited as provided in this subsection. The county shall establish the logical outer boundary of an area of more intensive rural development. In establishing the logical outer boundary the county shall address (A) the need to preserve the character of existing natural neighborhoods and communities, (B) physical boundaries such as bodies of water, streets and highways, and land forms and contours, (C) the prevention of abnormally irregular boundaries, and (D) the ability to provide public facilities

and public services in a manner that does not permit low-density sprawl;

(v) For purposes of (d) of this subsection, an existing area or existing use is one that was in existence:

(A) On July 1, 1990, in a county that was initially required to plan under all of the provisions of this chapter;

(B) On the date the county adopted a resolution under RCW 36.70A.040(2), in a county that is planning under all of the provisions of this chapter under RCW 36.70A.040(2); or

(C) On the date the office of financial management certifies the county's population as provided in RCW 36.70A.040(5), in a county that is planning under all of the provisions of this chapter pursuant to RCW 36.70A.040(5).

(e) Exception. This subsection shall not be interpreted to permit in the rural area a major industrial development or a master planned resort unless otherwise specifically permitted under RCW 36.70A.360 and 36.70A.365.

(6) A transportation element that implements, and is consistent with, the land use element.

(a) The transportation element shall include the following subelements:

(i) Land use assumptions used in estimating travel;

(ii) Estimated traffic impacts to state-owned transportation facilities resulting from land use assumptions to assist the department of transportation in monitoring the performance of state facilities, to plan improvements for the facilities, and to assess the impact of land-use decisions on state-owned transportation facilities;

(iii) Facilities and services needs, including:

(A) An inventory of air, water, and ground transportation facilities and services, including transit alignments and general aviation airport facilities, to define existing capital facilities and travel levels as a basis for future planning. This inventory must include state-owned transportation facilities within the city or county's jurisdictional boundaries;

(B) Level of service standards for all locally owned arterials and transit routes to serve as a gauge to judge performance of the system. These standards should be regionally coordinated;

(C) For state-owned transportation facilities, level of service standards for highways, as prescribed in chapters 47.06 and 47.80 RCW, to gauge the performance of the system. The purposes of reflecting level of service standards for state highways in the local comprehensive plan are to monitor the performance of the system, to evaluate improvement strategies, and to facilitate coordination between the county's or city's six-year street, road, or transit program and the department of transportation's six-year investment program. The concurrency requirements of (b) of this subsection do not apply to transportation facilities and services of statewide significance except for counties consisting of islands whose only connection to the mainland are state highways or ferry routes. In these island counties, state highways and ferry route capacity must be a factor in meeting the concurrency requirements in (b) of this subsection;

(D) Specific actions and requirements for bringing into compliance locally owned transportation facilities or services that are below an established level of service standard;

(E) Forecasts of traffic for at least ten years based on the adopted land use plan to provide information on the location, timing, and capacity needs of future growth;

(F) Identification of state and local system needs to meet current and future demands. Identified needs on state-owned transportation facilities must be consistent with the statewide multimodal transportation plan required under chapter 47.06 RCW;

(iv) Finance, including:

(A) An analysis of funding capability to judge needs against probable funding resources;

(B) A multiyear financing plan based on the needs identified in the comprehensive plan, the appropriate parts of which shall serve as the basis for the six-year street, road, or transit program required by RCW 35.77.010 for cities, RCW 36.81.121 for counties, and RCW 35.58.2795 for public transportation systems. The multiyear financing plan should be coordinated with the ~~((six-year))~~ ten-year improvement program developed by the department of transportation as required by RCW 47.05.030;

(C) If probable funding falls short of meeting identified needs, a discussion of how additional funding will be raised, or how land use assumptions will be reassessed to ensure that level of service standards will be met;

(v) Intergovernmental coordination efforts, including an assessment of the impacts of the transportation plan and land use assumptions on the transportation systems of adjacent jurisdictions;

(vi) Demand-management strategies;

(vii) Pedestrian and bicycle component to include collaborative efforts to identify and designate planned improvements for pedestrian and bicycle facilities and corridors that address and encourage enhanced community access and promote healthy lifestyles.

(b) After adoption of the comprehensive plan by jurisdictions required to plan or who choose to plan under RCW 36.70A.040, local jurisdictions must adopt and enforce ordinances which prohibit development approval if the development causes the level of service on a locally owned transportation facility to decline below the standards adopted in the transportation element of the comprehensive plan, unless transportation improvements or strategies to accommodate the impacts of development are made concurrent with the development. These strategies may include increased public transportation service, ride sharing programs, demand management, and other transportation systems management strategies. For the purposes of this subsection (6) "concurrent with the development" shall mean that improvements or strategies are in place at the time of development, or that a financial commitment is in place to complete the improvements or strategies within six years.

(c) The transportation element described in this subsection (6), and the six-year plans required by RCW 35.77.010 for cities, RCW 36.81.121 for counties, and RCW 35.58.2795 for public transportation systems, and the ten-year plan required by RCW 47.05.030 for the state, must be consistent.

(7) An economic development element establishing local goals, policies, objectives, and provisions for economic growth and vitality and a high quality of life. The element shall include: (a) A summary of the local economy such as population, employment, payroll, sectors, businesses, sales, and other information as appropriate; (b) a summary of the strengths and weaknesses of the local economy defined as the commercial and industrial sectors and supporting factors such as land use, transportation, utilities, education, work force, housing, and natural/cultural resources; and (c) an identification of policies, programs, and projects to foster economic growth and development and to address future needs. A city that has chosen to be a residential community is exempt from the economic development element requirement of this subsection.

(8) A park and recreation element that implements, and is consistent with, the capital facilities plan element as it relates to park and recreation facilities. The element shall include: (a) Estimates of park and recreation demand for at least a ten-year period; (b) an evaluation of facilities and service needs; and (c) an evaluation of intergovernmental coordination opportunities to provide regional approaches for meeting park and recreational demand.

(9) It is the intent that new or amended elements required after January 1, 2002, be adopted concurrent with the scheduled update provided in RCW 36.70A.130. Requirements to incorporate any such new or amended elements shall be null and void until funds sufficient to cover applicable local government costs are appropriated and distributed by the state at least two years before local government must update comprehensive plans as required in RCW 36.70A.130.

Sec. 2. RCW 36.70A.090 and 1990 1st ex.s. c 17 s 9 are each amended to read as follows:

A comprehensive plan should provide for innovative land use management techniques, including, but not limited to, density bonuses, cluster housing, planned unit developments, mixed-use development, accessory dwelling units, and the transfer of development rights.

NEW SECTION. Sec. 3. A new section is added to chapter 36.70A RCW to read as follows:

(1) A county and one or more of its cities, or two or more counties sharing a common border and their cities, may adopt countywide planning policies or multicounty planning policies establishing subregions in order to address housing and employment markets that cross jurisdictional boundaries. Policies adopted under this section may include, but are not limited to:

(a) Policies that reallocate among the counties and cities in the subregion the population growth established for each local government under RCW 36.70A.110;

(b) Policies that provide for a sufficient number of housing units to accommodate the existing housing needs and projected population growth in the subregion; and

(c) Policies that provide for sufficient land suitable for development to meet the needs for commercial and industrial growth in the subregion.

(2) The local governments within the subregion may use the countywide planning policies or multicounty planning policies, interlocal agreements under chapter 39.34 RCW, or any other appropriate mechanism to implement the policies established under subsection (1) of this section."

Correct the title.

Representative Springer moved the adoption of amendment (256) to amendment (191):

On page 9, after line 26 of the amendment, insert the following:

"**Sec. 4.** RCW 36.70A.110 and 2004 c 206 s 1 are each amended to read as follows:

(1) In accordance with the requirements of this section, each county that is required or chooses to plan under RCW 36.70A.040 shall designate an urban growth area or areas within which urban growth shall be encouraged and outside of which growth can occur only if it is not urban in nature. Each city that is located in such a county shall be included within an urban growth area. An urban growth area may include more than a single city. An urban growth area may include territory that is located outside of a city only if such territory already is characterized by urban growth whether or not the urban growth area includes a city, or is adjacent to territory already characterized by urban growth, or is a designated new fully contained community as defined by RCW 36.70A.350.

(2) Based upon the growth management population projection made for the county by the office of financial management, the

county and each city within the county shall include areas and densities sufficient to permit the urban growth that is projected to occur in the county or city for the succeeding twenty-year period, except for those urban growth areas contained totally within a national historical reserve.

Each urban growth area shall permit urban densities and shall include greenbelt and open space areas. In the case of urban growth areas contained totally within a national historical reserve, the city may restrict densities, intensities, and forms of urban growth as determined to be necessary and appropriate to protect the physical, cultural, or historic integrity of the reserve. An urban growth area determination may include a reasonable land market supply factor and shall permit a range of urban densities and uses. In determining this market factor, cities and counties may consider local circumstances. Cities and counties have discretion in their comprehensive plans to make many choices about accommodating growth.

Within one year of July 1, 1990, each county that as of June 1, 1991, was required or chose to plan under RCW 36.70A.040, shall begin consulting with each city located within its boundaries and each city shall propose the location of an urban growth area. Within sixty days of the date the county legislative authority of a county adopts its resolution of intention or of certification by the office of financial management, all other counties that are required or choose to plan under RCW 36.70A.040 shall begin this consultation with each city located within its boundaries. The county shall attempt to reach agreement with each city on the location of an urban growth area within which the city is located. If such an agreement is not reached with each city located within the urban growth area, the county shall justify in writing why it so designated the area an urban growth area. A city may object formally with the department over the designation of the urban growth area within which it is located. Where appropriate, the department shall attempt to resolve the conflicts, including the use of mediation services.

(3) Counties planning under RCW 36.70A.040 with populations of at least one hundred seventy-five thousand must:

(a) Consult and cooperate with each city within an urban growth area proposed for modification prior to and concurrent with actions to modify the urban growth area within which the city or cities are located;

(b) Consult and cooperate with each city within each urban growth area to adopt development regulations for unincorporated territory within urban growth areas that are consistent with each applicable city;

(c) Adopt development regulations for new development in unincorporated territory within an urban growth area that is, as of the effective date of this act, entirely surrounded by incorporated territory. Development regulations adopted under this subsection (c) must be consistent with the city or cities surrounding the unincorporated territory; and

(d) Report to the appropriate committees of the house of representatives and the senate by December 1, 2007, on the implementation of, and any impediments related to, the requirements of (a) and (b) of this subsection (3).

(4) Urban growth should be located first in areas already characterized by urban growth that have adequate existing public facility and service capacities to serve such development, second in areas already characterized by urban growth that will be served adequately by a combination of both existing public facilities and services and any additional needed public facilities and services that are provided by either public or private sources, and third in the remaining portions of the urban growth areas. Urban growth may

also be located in designated new fully contained communities as defined by RCW 36.70A.350.

((4))(5) In general, cities are the units of local government most appropriate to provide urban governmental services. In general, it is not appropriate that urban governmental services be extended to or expanded in rural areas except in those limited circumstances shown to be necessary to protect basic public health and safety and the environment and when such services are financially supportable at rural densities and do not permit urban development.

((5))(6) On or before October 1, 1993, each county that was initially required to plan under RCW 36.70A.040(1) shall adopt development regulations designating interim urban growth areas under this chapter. Within three years and three months of the date the county legislative authority of a county adopts its resolution of intention or of certification by the office of financial management, all other counties that are required or choose to plan under RCW 36.70A.040 shall adopt development regulations designating interim urban growth areas under this chapter. Adoption of the interim urban growth areas may only occur after public notice; public hearing; and compliance with the state environmental policy act, chapter 43.21C RCW, and RCW 36.70A.110. Such action may be appealed to the appropriate growth management hearings board under RCW 36.70A.280. Final urban growth areas shall be adopted at the time of comprehensive plan adoption under this chapter.

((6))(7) Each county shall include designations of urban growth areas in its comprehensive plan.

((7))(8) An urban growth area designated in accordance with this section may include within its boundaries urban service areas or potential annexation areas designated for specific cities or towns within the county."

Representatives Springer and Curtis spoke in favor of the adoption of the amendment to the amendment.

The amendment to the amendment was adopted.

Representatives Springer and Schindler spoke in favor of the adoption of amendment (191) as amended.

The amendment as amended was adopted. The bill was ordered engrossed.

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

Representatives Springer, Schindler and Dunn spoke in favor of passage of the bill.

MOTION

On motion of Representative Morrell, Representative Schual-Berke was excused.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1727.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1727 and the bill passed the House by the following vote: Yeas - 97, Nays - 0, Absent - 0, Excused - 1.

Voting yea: Representatives Ahern, Alexander, Anderson, Appleton, Armstrong, Bailey, Barlow, Blake, Buri, Campbell, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eddy, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Goodman, Grant, Green, Haigh, Hailey, Haler, Hankins, Hasegawa, Hinkle, Hudgins, Hunt, Hunter, Hurst, Jarrett, Kagi, Kelley, Kenney, Kessler, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Newhouse, O'Brien, Orcutt, Ormsby, Pearson, Pedersen, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schindler, Seaquist, Sells, Simpson, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Sump, Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, Williams, Wood and Mr. Speaker - 97.

Excused: Representative Schual-Berke - 1.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1727, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2016, By Representatives Springer, Lantz, Wallace, Seaquist, P. Sullivan, Moeller, Lovick, Takko, Kessler, Morrell, Rolfes, Ericks, VanDeWege, Goodman, Simpson, Linville and Ormsby

Changing provisions pertaining to eminent domain.

The bill was read the second time.

There being no objection, Substitute House Bill No. 2016 was substituted for House Bill No. 2016 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2016 was read the second time.

Representative Rodne moved the adoption of amendment (139):

On page 26, line 17, strike "solely"

On page 27, line 13, strike "solely"

On page 28, line 10, strike "solely"

On page 29, line 7, strike "solely"

On page 30, line 4, strike "solely"

On page 30, line 36, strike "solely"

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

Representative Lantz spoke against the adoption of the amendment.

The amendment was not adopted.

With the consent of the House, amendment (164) was withdrawn.

Representative Rodne moved the adoption of amendment (140):

On page 26, line 23, strike "primary"

On page 27, line 19, strike "primary"

On page 28, line 16, strike "primary"

On page 29, line 13, strike "primary"

On page 30, line 10, strike "primary"

On page 31, line 5, strike "primary"

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

Representative Lantz spoke against the adoption of the amendment.

The amendment was not adopted.

Representative Rodne moved the adoption of amendment (284):

On page 26, line 29, after "safety" insert "based on the present condition and use of the real property"

On page 27, line 25, after "safety" insert "based on the present condition and use of the real property"

On page 28, line 22, after "safety" insert "based on the present condition and use of the real property"

On page 29, line 19, after "safety" insert "based on the present condition and use of the real property"

On page 30, line 16, after "safety" insert "based on the present condition and use of the real property"

On page 31, line 11, after "safety" insert "based on the present condition and use of the real property"

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

The amendment was adopted.

Representative Rodne moved the adoption of amendment (141):

On page 27, line 5, after "facility" insert "for merely incidental use"

On page 28, line 2, after "facility" insert "for merely incidental use"

On page 28, line 35, after "facility" insert "for merely incidental use"

On page 29, line 32, after "facility" insert "for merely incidental use"

On page 30, line 29, after "facility" insert "for merely incidental use"

On page 31, line 24, after "facility" insert "for merely incidental use"

Representatives Rodne, Buri and Anderson spoke in favor of the adoption of the amendment.

Representative Williams spoke against the adoption of the amendment.

An electronic roll call was requested.

The Speaker (Representative Lovick presiding) stated the question before the House to be adoption of amendment (141) to Substitute House Bill No. 2016.

ROLL CALL

The Clerk called the roll on the adoption of amendment (141) to Substitute House Bill No. 2016, and the amendment was not adopted by the following vote: Yeas - 47, Nays - 50, Absent - 0, Excused - 1.

Voting yea: Representatives Ahern, Alexander, Anderson, Armstrong, Bailey, Barlow, Buri, Campbell, Chandler, Condotta, Crouse, Curtis, DeBolt, Dunn, Eddy, Ericksen, Goodman, Green, Hailey, Haler, Hankins, Hinkle, Hurst, Jarrett, Kelley, Kretz, Kristiansen, Lantz, McCune, McDonald, Newhouse, Orcutt, Pearson, Priest, Roach, Rodne, Rolfes, Ross, Schindler, Seaquist, Skinner, Strow, Sump, Van De Wege, Wallace, Walsh and Warnick - 47.

Voting nay: Representatives Appleton, Blake, Chase, Clibborn, Cody, Conway, Darneille, Dickerson, Dunshee, Eickmeyer, Ericks, Flannigan, Fromhold, Grant, Haigh, Hasegawa, Hudgins, Hunt, Hunter, Kagi, Kenney, Kessler, Kirby, Linville, Lovick, McCoy, McDermott, McIntire, Miloscia, Moeller, Morrell, Morris, O'Brien, Ormsby, Pedersen, Pettigrew, Quall, Roberts, Santos, Sells, Simpson, Sommers, Springer, Sullivan, B., Sullivan, P., Takko, Upthegrove, Williams, Wood and Mr. Speaker - 50.

Excused: Representative Schual-Berke - 1.

Representative Rodne moved the adoption of amendment (254):

On page 31, after line 33, insert the following:

"NEW SECTION. Sec. 29. It is the intent of this act, and the provisions of this act shall be so construed, that the powers of eminent domain shall be exercised solely for a stated public use, except private ways of necessity, and for drains, flumes, or ditches on or across the lands of others for agricultural, domestic, or sanitary purposes consistent with Article I, section 16 of the state Constitution. All grants and exercise of the power of eminent domain shall be strictly construed and no greater interest shall be taken than is necessary to accomplish the stated public use. "Public use" means the actual possession, occupation, and use of the property by the general public or by the state; or the use of land for the creation or functioning of public utilities or common carriers such as railroads, utilities, or toll roads. The taking of private property by the state for economic development does not constitute public use. Public use shall not be equated with public purpose, public interest, or public benefit, such as promoting economic development, creating jobs, improving the tax base, or enhancing tax revenues by building, expanding, or upgrading private retail, commercial, industrial, or residential establishments. The legislature intends that economic development as contemplated by the United States supreme court decision in *Kelo v. City of New London*, 545 U.S. 469 (2005) is not and shall not be construed as public use."

Renumber the remaining section and correct the title.

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

Representative Williams spoke against the adoption of the amendment.

An electronic roll call was requested.

The Speaker (Representative Lovick presiding) stated the question before the House to be adoption of amendment (254) to Substitute House Bill No. 2016.

ROLL CALL

The Clerk called the roll on the adoption of amendment (254) to Substitute House Bill No. 2016, and the amendment was not adopted by the following vote: Yeas - 47, Nays - 50, Absent - 0, Excused - 1.

Voting yea: Representatives Ahern, Alexander, Anderson, Armstrong, Bailey, Barlow, Buri, Campbell, Chandler, Condotta, Crouse, Curtis, DeBolt, Dunn, Eddy, Ericksen, Goodman, Green, Hailey, Haler, Hankins, Hinkle, Jarrett, Kelley, Kessler, Kretz, Kristiansen, Lantz, McCune, McDonald, Newhouse, Orcutt, Pearson, Priest, Roach, Rodne, Rolfes, Ross, Schindler, Seaquist, Skinner, Strow, Sump, Van De Wege, Wallace, Walsh and Warnick - 47.

Voting nay: Representatives Appleton, Blake, Chase, Clibborn, Cody, Conway, Darneille, Dickerson, Dunshee, Eickmeyer, Ericks, Flannigan, Fromhold, Grant, Haigh, Hasegawa, Hudgins, Hunt, Hunter, Hurst, Kagi, Kenney, Kirby, Linville, Lovick, McCoy, McDermott, McIntire, Miloscia, Moeller, Morrell, Morris, O'Brien, Ormsby, Pedersen, Pettigrew, Quall, Roberts, Santos, Sells, Simpson, Sommers, Springer, Sullivan, B., Sullivan, P., Takko, Upthegrove, Williams, Wood and Mr. Speaker - 50.

Excused: Representative Schual-Berke - 1.

The bill was ordered engrossed.

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

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

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 2016.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2016 and the bill passed the House by the following vote: Yeas - 97, Nays - 0, Absent - 0, Excused - 1.

Voting yea: Representatives Ahern, Alexander, Anderson, Appleton, Armstrong, Bailey, Barlow, Blake, Buri, Campbell, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eddy, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Goodman, Grant, Green, Haigh, Hailey, Haler, Hankins, Hasegawa, Hinkle, Hudgins, Hunt, Hunter, Hurst, Jarrett, Kagi, Kelley, Kenney, Kessler, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Newhouse, O'Brien, Orcutt, Ormsby, Pearson, Pedersen, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schindler, Seaquist, Sells, Simpson, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Sump, Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, Williams, Wood and Mr. Speaker - 97.

Excused: Representative Schual-Berke - 1.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2016, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2115, By Representatives Newhouse, Lantz, B. Sullivan, Hailey, Grant, VanDeWege, Warnick, Kelley, Pedersen, Appleton, Quall, Seaquist, Hunt, Simpson, McDermott and Ormsby

Creating the heritage barn preservation program.

The bill was read the second time.

There being no objection, Substitute House Bill No. 2115 was substituted for House Bill No. 2115 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2115 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 Newhouse, Lantz, Walsh and Fromhold spoke in favor of passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2115.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2115 and the bill passed the House by the following vote: Yeas - 97, Nays - 0, Absent - 0, Excused - 1.

Voting yea: Representatives Ahern, Alexander, Anderson, Appleton, Armstrong, Bailey, Barlow, Blake, Buri, Campbell, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eddy, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Goodman, Grant, Green, Haigh, Hailey, Haler, Hankins, Hasegawa, Hinkle, Hudgins, Hunt, Hunter, Hurst, Jarrett, Kagi, Kelley, Kenney, Kessler, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Newhouse, O'Brien, Orcutt, Ormsby, Pearson, Pedersen, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schindler, Seaquist, Sells, Simpson, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Sump, Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, Williams, Wood and Mr. Speaker - 97.

Excused: Representative Schual-Berke - 1.

SUBSTITUTE HOUSE BILL NO. 2115, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1359, By Representatives Miloscia, Chase, Hasegawa, Pettigrew, Springer, Ormsby, Roberts, Darneille, Goodman and Santos

Creating an affordable housing for all program.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1359 was substituted for House Bill No. 1359 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1359 was read the second time.

Representative Ericksen moved the adoption of amendment (220):

On page 21, line 26, after "21." strike everything through "void." on line 29 and insert:

"(1) To facilitate establishing priorities in government spending, this act shall be null and void if funding necessary to implement this act is not fully offset by specific reductions to maintenance-level appropriations referencing a particular agency purpose and funding.

(2) For purposes of this section, funding is fully offset if, by June 30, 2007, the omnibus appropriations act:

(a) contains specific funding for this act;

(b) contains specific reductions to maintenance-level appropriations, referencing a particular agency purpose and funding, in an amount equal to the amount referenced pursuant to (a) of this subsection; and

(c) the provisions required by (a) and (b) of this subsection reference this act by bill or chapter number."

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

Representative Miloscia spoke against the adoption of the amendment.

The amendment was not adopted.

Representative Hailey moved the adoption of amendment (178):

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 36.70A.210 and 1998 c 171 s 4 are each amended to read as follows:

(1) The legislature recognizes that counties are regional governments within their boundaries, and cities are primary providers of urban governmental services within urban growth areas. For the purposes of this section, a "countywide planning policy" is a written policy statement or statements used solely for establishing a countywide framework from which county and city comprehensive plans are developed and adopted pursuant to this chapter. This framework shall ensure that city and county comprehensive plans are consistent as required in RCW 36.70A.100. Nothing in this section shall be construed to alter the land-use powers of cities.

(2) The legislative authority of a county that plans under RCW 36.70A.040 shall adopt a countywide planning policy in cooperation with the cities located in whole or in part within the county as follows:

(a) No later than sixty calendar days from July 16, 1991, the legislative authority of each county that as of June 1, 1991, was

required or chose to plan under RCW 36.70A.040 shall convene a meeting with representatives of each city located within the county for the purpose of establishing a collaborative process that will provide a framework for the adoption of a countywide planning policy. In other counties that are required or choose to plan under RCW 36.70A.040, this meeting shall be convened no later than sixty days after the date the county adopts its resolution of intention or was certified by the office of financial management.

(b) The process and framework for adoption of a countywide planning policy specified in (a) of this subsection shall determine the manner in which the county and the cities agree to all procedures and provisions including but not limited to desired planning policies, deadlines, ratification of final agreements and demonstration thereof, and financing, if any, of all activities associated therewith.

(c) If a county fails for any reason to convene a meeting with representatives of cities as required in (a) of this subsection, the governor may immediately impose any appropriate sanction or sanctions on the county from those specified under RCW 36.70A.340.

(d) If there is no agreement by October 1, 1991, in a county that was required or chose to plan under RCW 36.70A.040 as of June 1, 1991, or if there is no agreement within one hundred twenty days of the date the county adopted its resolution of intention or was certified by the office of financial management in any other county that is required or chooses to plan under RCW 36.70A.040, the governor shall first inquire of the jurisdictions as to the reason or reasons for failure to reach an agreement. If the governor deems it appropriate, the governor may immediately request the assistance of the department of community, trade, and economic development to mediate any disputes that preclude agreement. If mediation is unsuccessful in resolving all disputes that will lead to agreement, the governor may impose appropriate sanctions from those specified under RCW 36.70A.340 on the county, city, or cities for failure to reach an agreement as provided in this section. The governor shall specify the reason or reasons for the imposition of any sanction.

(e) No later than July 1, 1992, the legislative authority of each county that was required or chose to plan under RCW 36.70A.040 as of June 1, 1991, or no later than fourteen months after the date the county adopted its resolution of intention or was certified by the office of financial management the county legislative authority of any other county that is required or chooses to plan under RCW 36.70A.040, shall adopt a countywide planning policy according to the process provided under this section and that is consistent with the agreement pursuant to (b) of this subsection, and after holding a public hearing or hearings on the proposed countywide planning policy.

(3) A countywide planning policy shall at a minimum, address the following:

(a) Policies to implement RCW 36.70A.110;

(b) Policies for promotion of contiguous and orderly development and provision of urban services to such development;

(c) Policies for siting public capital facilities of a countywide or statewide nature, including transportation facilities of statewide significance as defined in RCW 47.06.140;

(d) Policies for countywide transportation facilities and strategies;

(e) Policies that consider the need for affordable housing, such as housing for all economic segments of the population and parameters for its distribution;

(f) Policies for joint county and city planning within urban growth areas;

(g) Policies for countywide economic development and employment; ~~(and)~~

(h) Policies for providing a supply of housing sufficient to accommodate employment growth and demand for all types of residential living, including if applicable, part-time, retirement, and second homes; and

(i) An analysis of the fiscal impact.

(4) Federal agencies and Indian tribes may participate in and cooperate with the countywide planning policy adoption process. Adopted countywide planning policies shall be adhered to by state agencies.

(5) Failure to adopt a countywide planning policy that meets the requirements of this section may result in the imposition of a sanction or sanctions on a county or city within the county, as specified in RCW 36.70A.340. In imposing a sanction or sanctions, the governor shall specify the reasons for failure to adopt a countywide planning policy in order that any imposed sanction or sanctions are fairly and equitably related to the failure to adopt a countywide planning policy.

(6) Cities and the governor may appeal an adopted countywide planning policy to the growth management hearings board within sixty days of the adoption of the countywide planning policy.

(7) Multicounty planning policies shall be adopted by two or more counties, each with a population of four hundred fifty thousand or more, with contiguous urban areas and may be adopted by other counties, according to the process established under this section or other processes agreed to among the counties and cities within the affected counties throughout the multicounty region.

Sec. 2. RCW 43.62.035 and 1997 c 429 s 26 are each amended to read as follows:

(1) The office of financial management shall determine the population of each county of the state annually as of April 1st of each year and on or before July 1st of each year shall file a certificate with the secretary of state showing its determination of the population for each county. The office of financial management also shall determine the percentage increase in population for each county over the preceding ten-year period, as of April 1st, and shall file a certificate with the secretary of state by July 1st showing its determination. At least once every five years or upon the availability of decennial census data, whichever is ~~(later)~~ sooner, the office of financial management shall prepare twenty-year growth management planning population projections required by RCW 36.70A.110 for each county that adopts a comprehensive plan under RCW 36.70A.040 and shall review these projections with such counties and the cities in those counties before final adoption. The projections shall be based on a determination of the anticipated economic and job growth for these counties and shall consider relevant data concerning the critical components of the local economy and relevant market factors at the national, state, and local levels. The projections shall account for anticipated migrations within the state by retirees and telecommuters. In recognition of the typical length of planning cycles, and of the planning cycles for local governments, the office will publish annual comparisons of estimated job change with estimated housing unit change by county to ensure economic and job growth together with population growth are accommodated by the jurisdictions.

(2) Population projections for each county shall consider:

(a) Projected growth statewide and the share of state growth historically accommodated by the county;

(b) Projected natural population changes caused by births and deaths within the county;

(c) A determination of the anticipated economic and job growth within the county, using relevant data concerning the critical

components of the local economy and relevant market factors at the national, state, and local levels;

(d) Projected natural population increase, economic growth, and job growth in adjacent counties that may result in spillover housing demand;

(e) Projected net migration into the county, including an assessment of the degree to which population growth will be affected by the county's popularity as a location for telecommuting, vacation homes, and retirement living; and

(f) Other factors determined to be relevant and consistent with accepted demographic techniques.

(3) The county and its cities, and other interested parties, may provide to the office such information as they deem relevant to the office's projection, and the office shall consider and comment on such information before adoption. Each projection shall be expressed as a reasonable range developed within the standard state high and low projection. The middle range shall represent the office's estimate of the most likely population projection for the county. If any city or county believes that a projection will not accurately reflect actual population growth in a county, it may petition the office to revise the projection accordingly. ~~(The office shall complete the first set of ranges for every county by December 31, 1995.)~~

(4) A comprehensive plan adopted or amended before December 31, 1995, shall not be considered to be in noncompliance with the twenty-year growth management planning population projection if the projection used in the comprehensive plan is in compliance with the range later adopted under this section."

Correct the title.

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

Representative Miloscia spoke against the adoption of the amendment.

The amendment was not adopted.

Representative Dunn moved the adoption of amendment (179):

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. The legislature finds that first-time home buyers in Washington state have been priced out of the housing market in many counties. The legislature finds that many organizations, including local governments, have recognized the affordable housing crisis for first-time home buyers. The legislature finds that, for example, as reported in King county's benchmark growth report, "buying a first home remains extremely difficult for those under one hundred twenty percent of median income." The legislature further finds that impact fees contribute to the high cost of housing in many Washington counties, and that eliminating these fees will reduce housing prices. The legislature intends to make housing more affordable for first-time home buyers in counties where housing is currently not affordable for first-time home buyers. The legislature intends to do this by eliminating impact fees in counties where the first-time buyer housing affordability index demonstrates that housing is not affordable for first-time home buyers.

NEW SECTION. Sec. 2. A new section is added to chapter 82.02 RCW to read as follows:

(1) As used in this chapter, "first-time buyer housing affordability index" means the index determined by the Washington center for real estate research that measures the ability of a typical renter household to afford the purchase of a typical starter home by assuming: (a) The household will purchase a home priced at eighty-five percent of area median with a ten percent down payment; (b) the home mortgage loan is for a term of thirty years at the prevailing average fixed rate of interest; and (c) the potential first-time home buyer earns seventy percent of the area median household income and twenty-five percent of household income can be used for principal and interest payments.

(2) For purposes of this chapter, a first-time buyer housing affordability index of: (a) One hundred indicates that a household of the defined income can afford a home of the defined price; (b) less than one hundred indicates that a household of the defined income cannot afford a home of the defined price without spending more than twenty-five percent of their income on mortgage payments; and (c) greater than one hundred indicates that a household of the defined income can afford a home of the defined price while spending less than twenty-five percent of their income on mortgage payments.

NEW SECTION. Sec. 3. A new section is added to chapter 82.02 RCW to read as follows:

(1) In any county in which the first-time buyer housing affordability index, as defined in section 2 of this act and as determined by the Washington center for real estate research at Washington State University, is less than one hundred for three quarters in any given year, the county and cities located within the county shall not collect impact fees under this chapter for the following two years.

(2) The year-long period measured by the Washington center for real estate research under subsection (1) of this section shall begin and end in the third quarter of the calendar year. The time period for which the ability to collect impact fees under this chapter is suspended under subsection (1) of this section begins January 1st of the year following the determination by the Washington center for real estate research.

Sec. 4. RCW 82.02.100 and 1992 c 219 s 2 are each amended to read as follows:

(1) A person required to pay a fee pursuant to RCW 43.21C.060 for system improvements shall not be required to pay an impact fee under RCW 82.02.050 through 82.02.090 for those same system improvements.

(2) A county prohibited from imposing a fee for system improvements under section 3 of this act may not impose a fee under RCW 43.21C.060 for those same system improvements.

(3) A county prohibited from imposing a fee for system improvements under section 3 of this act may not require a dedication of land under RCW 58.17.110 for those same system improvements."

Correct the title.

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

Representative Miloscia spoke against the adoption of the amendment.

The amendment was not adopted.

Representative Pettigrew moved the adoption of amendment (242):

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. (1) The legislature finds that there is a large, unmet need for affordable housing in the state of Washington. The legislature declares that a decent, appropriate, and affordable home in a healthy, safe environment for every household should be a state goal. Furthermore, this goal includes increasing the percentage of low-income households who are able to obtain and retain housing without government subsidies or other public support.

(2) The legislature finds that there are many root causes of the affordable housing shortage and declares that it is critical that such causes be analyzed, effective solutions be developed, implemented, monitored, and evaluated, and that these causal factors be eliminated. The legislature also finds that there is a taxpayer and societal cost associated with a lack of jobs that pay self-sufficiency standard wages and a shortage of affordable housing, and that the state must identify and quantify that cost.

(3) The legislature finds that the support and commitment of all sectors of the statewide community is critical to accomplishing the state's affordable housing for all goal. The legislature finds that the provision of housing and housing-related services should be administered at the local level. However, the state should play a primary role in: Providing financial resources to achieve the goal at all levels of government; researching, evaluating, benchmarking, and implementing best practices; continually updating and evaluating statewide housing data; developing a state plan that integrates the strategies, goals, objectives, and performance measures of all other state housing plans and programs; coordinating and supporting county government plans and activities; and directing quality management practices by monitoring both state and county government performance towards achieving interim and ultimate goals.

(4) The legislature declares that the systematic and comprehensive performance measurement and evaluation of progress toward interim goals and the immediate state affordable housing goal of a decent, appropriate, and affordable home in a healthy, safe environment for every household in the state by 2020 is a necessary component of the statewide effort to end the affordable housing crisis.

NEW SECTION. Sec. 2. This chapter may be known and cited as the Washington affordable housing for all act.

NEW SECTION. Sec. 3. There is created within the department the state affordable housing for all program, which shall be funded by the affordable housing for all program surcharge provided for in RCW 36.22.178 (as recodified by this act) and all other sources directed to the affordable housing for all program. The goal of the program is a decent, appropriate, and affordable home in a healthy, safe environment for every very low-income household in the state by 2020. A priority must be placed upon achieving this goal for extremely low-income households. This goal includes increasing the percentage of households who access housing that is affordable for their income or wage level without government assistance by increasing the number of previously very low-income households who achieve self-sufficiency and economic independence. The goal also includes implementing strategies to keep the rising cost of housing below the relative rise in wages. The department shall

develop and administer the affordable housing for all program. In the development and implementation of the program, the department shall consider: The funding level, number of county staff available to implement the program, and competency of each county to meet the goals of the program; and establish program guidelines, performance measures, and reporting requirements appropriate to the existing capacity of the participating counties.

NEW SECTION. Sec. 4. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Affordable housing" means housing that has a sales price or rental amount that is within the means of a household that may occupy low, very low, and extremely low-income housing. The department shall adopt policies for residential rental and homeownership housing, occupied by extremely low, very low, and low-income households, that specify the percentage of household income that may be spent on monthly housing costs, including utilities other than telephone, to qualify as affordable housing.

(2) "Department" means the department of community, trade, and economic development.

(3) "Director" means the director of the department of community, trade, and economic development.

(4) "First-time home buyer" means an individual or his or her spouse who have not owned a home during the three-year period prior to purchase of a home.

(5) "Nonprofit organization" means any public or private nonprofit organization that: (a) Is organized under federal, state, or local laws; (b) has no part of its net earnings inuring to the benefit of any member, founder, contributor, or individual; and (c) has among its purposes, significant activities related to the provision of decent housing that is affordable to extremely low-income, very low-income, low-income, or moderate-income households and special needs populations.

(6) "Regulatory barriers to affordable housing" and "regulatory barriers" mean any public policies, including those embodied in statutes, ordinances, regulations, or administrative procedures or processes, required to be identified by the state, cities, towns, or counties in connection with strategies under section 105(b)(4) of the Cranston-Gonzalez national affordable housing act (42 U.S.C. Sec. 12701 et seq.).

(7) "Home security fund account" means the account in the custody of the state treasurer receiving the state's portion of income from the revenue of sources established by RCW 36.22.178 (as recodified by this act) and 36.22.179, section 25 of this act, and all other sources directed to the affordable housing for all program or homeless housing and assistance program.

(8) "County affordable housing task force" means a county committee, as described in section 7 of this act, created to prepare and recommend to its county legislative authority a county affordable housing for all plan, and also to recommend expenditures of the funds from the affordable housing for all program surcharge in RCW 36.22.178 (as recodified by this act) and all other sources directed to the county's affordable housing for all program.

(9) "Performance measurement" means the process of comparing specific measures of success with ultimate and interim goals.

(10) "Performance evaluation" means the process of evaluating the performance by established objective, measurable criteria according to the achievement of outlined goals, measures, targets, standards, or other outcomes using a ranked scorecard from highest to lowest performance which employs a scale of one to one hundred, one hundred being the optimal score.

(11) "Quality management program" means a nationally recognized program using criteria similar or equivalent to the Baldrige criteria. Beginning in 2009, all cities, towns, and counties receiving over five hundred thousand dollars a year during the previous calendar year from (a) state housing-related funding sources, including the housing trust fund, (b) housing finance commission programs, (c) the affordable housing for all program surcharge in RCW 36.22.178 (as recodified by this act), (d) the homeless housing and assistance program surcharge in RCW 36.22.179 (as recodified by this act), and (e) any other surcharge charged under chapter 36.22 RCW to fund homelessness programs shall apply to the full examination Washington state quality award program once every three years beginning by January 1, 2010. The Washington state housing finance commission must apply to the full examination Washington state quality award program by December 31, 2009, and at least once every three years thereafter.

(12) "Affordable housing for all program" means the program authorized under this chapter, utilizing the funding from the affordable housing for all program surcharge in RCW 36.22.178 (as recodified by this act), and all other sources directed to the affordable housing for all program, as administered by the department at the state level and by each county at the local level.

(13) "State affordable housing for all plan" or "state plan" means the plan developed by the department in collaboration with the affordable housing advisory board with the goal of ensuring that every very low-income household in Washington has a decent, appropriate, and affordable home in a healthy, safe environment by 2020.

(14) "County affordable housing for all plan" or "county plan" means the plan developed by each county with the goal of ensuring that every very low-income household in the county has a decent, appropriate, and affordable home in a healthy, safe environment by 2020.

(15) "Low-income household," for the purposes of the affordable housing for all program, means a single person, family, or unrelated persons living together whose adjusted income is less than eighty percent of the median household income, adjusted for household size for the county where the project is located.

(16) "Very low-income household" means a single person, family, or unrelated persons living together whose adjusted income is less than fifty percent of the median family income, adjusted for household size for the county where the project is located.

(17) "Extremely low-income household" means a single person, family, or unrelated persons living together whose adjusted income is less than thirty percent of the median family income, adjusted for household size for the county where the project is located.

(18) "County" means a county government in the state of Washington or, except under RCW 36.22.178 (as recodified by this act), a city government or collaborative of city governments within that county if the county government declines to participate in the affordable housing program.

(19) "Local government" means a county or city government in the state of Washington or, except under RCW 36.22.178 (as recodified by this act), a city government or collaborative of city governments within that county if the county government declines to participate in the affordable housing program.

(20) "Authority" or "housing authority" means any of the public corporations created by RCW 35.82.030.

(21) "Good family-wage job" means a job that pays at or above one of the two self-sufficiency income standards established under section 26 of this act which for an individual means enough income to support one adult individual, and for a family means enough

income to support two adult individuals, one preschool-aged child, and one school-aged child.

Sec. 5. RCW 43.185B.040 and 1993 c 478 s 12 are each amended to read as follows:

(1) The department shall, in consultation with the affordable housing advisory board created in RCW 43.185B.020 (as recodified by this act), prepare and ~~((from time to time amend a five-year))~~ annually update a state affordable housing ((advisory)) for all plan. The state plan must incorporate the strategies, objectives, goals, and performance measures of all other housing-related state plans, including the state homeless housing strategic plan required under RCW 43.185C.040 and all state housing programs. The state affordable housing for all plan may be combined with the state homeless housing strategic plan required under RCW 43.185C.040 or any other existing state housing plan as long as the requirements of all of the plans to be merged are met.

(2) The purpose of the state affordable housing for all plan is to:

(a) Document the need for affordable housing in the state and the extent to which that need is being met through public and private sector programs((;));

(b) Outline the development of sound strategies and programs to promote affordable housing;

(c) Establish, evaluate, and report upon interim goals and timelines that are determined by the department and by which the state and counties may be measured;

(d) Establish, evaluate, and report upon performance measures, including the performance measures outlined in section 6 of this act, for all state housing programs, as well as all housing programs operated by or coordinated by city and county governments, including local housing-related levy initiatives, housing-related tax exemption programs, and federally funded programs operated or coordinated by the state or local governments;

(e) Evaluate and report upon all counties' use of the affordable housing for all program surcharge funds provided for in RCW 36.22.178 (as recodified by this act) and all other sources directed to the counties' affordable housing for all programs;

(f) Report upon how housing trust fund awards within the previous one-year period are consistent with the plan and have contributed to the goal of the affordable housing for all program; and ((;))

(g) Facilitate state and county government planning to meet the state affordable housing ((needs of the state, and to enable the development of sound strategies and programs for affordable housing)) for all goal.

(3) The information in the ((five-year)) annual state affordable housing ((advisory)) for all plan must include:

(a) An assessment of the state's housing market trends;

(b) An assessment of the housing needs for all economic segments of the state by wage level decile and special needs populations including:

(i) A report on the number and percentage of persons or households statewide and in each county in each income level decile who are currently living in housing that is not affordable given their wage level;

(ii) A report on the number and percentage of additional affordable rental housing units that are needed statewide and in each county to house persons or households at each wage level decile;

(iii) A report of the number and percentage of persons or households identified as having special needs statewide and in each county who are not adequately and affordably housed;

(iv) An estimate of the number and percentage of additional housing units needed statewide and in each county for each special needs population category;

(c) An inventory of the supply and geographic distribution of affordable housing rental units made available through public and private sector programs;

(d) An inventory of the homeownership units under public or nonprofit control through a trust or covenant limiting the economic value of the unit made available through public and private sector programs;

(e) An estimate of the number and percentage of homes available for purchase statewide and in each county that are affordable to each wage level decile;

(f) An estimate of the number and percentage affordable homes for purchase needed for each wage level decile to achieve the state's homeownership goal, as determined by the department and included in the state affordable housing for all plan, unless established by the legislature;

(g) A summary of the activities of all state housing programs, as well as all housing programs operated by or coordinated by city and county governments, including local housing-related levy initiatives, housing-related tax exemption programs, and federally funded programs operated or coordinated by the state or local governments;

(h) A status report on the degree of progress made by the public and private sector toward meeting the housing needs of the state, each county, and each city with a population greater than fifty thousand or the city with the highest population in each county, where information is available;

~~((e))~~ (i) An identification of state and local regulatory barriers to affordable housing and proposed regulatory and administrative techniques designed to remove barriers to the development and placement of affordable housing; ~~(and~~

~~(f))~~ (j) An analysis, statewide and within each county and major city, of the primary contributors to the cost of housing and an outline of potential strategies to keep the increasing cost of housing below the relative rise in wages;

(k) Specific recommendations, policies, or proposals for meeting the affordable housing needs of the state;

(l) Identification of key root causal factors of the affordable housing shortage and the inability of low-income households to obtain and retain appropriate housing, and identification of possible preventative strategies and related performance measures;

(m) A report on the growth in the population of persons in each wage level decile statewide and for each county;

(n) A determination of the cost to the state of the affordable housing shortage;

(o) A report of any differences in the rates of inflation between median house prices, median rent for a two-bedroom apartment, and median family income for persons or households in each wage level decile;

(p) A summary of the recommendations of the affordable housing advisory board report as required in RCW 43.185B.030;

(q) A response to all county legislative and policy recommendations included in county affordable housing for all plans as well as proposed strategies to address issues raised in the county plans; and

(r) A summary report of the department's evaluations of the operations and accomplishments of other state departments and agencies as they affect housing as required in RCW 43.63A.650 (as recodified by this act).

~~((2)(a))~~ (4) The ~~(five-year)~~ state affordable housing ~~(advisory)~~ for all plan required under ~~((subsection (1) of))~~ this

section must be submitted to the appropriate committees of the legislature on or before ~~((February 1, 1994))~~ December 31, 2008, and subsequent updated plans must be submitted ~~((every five years))~~ by December 31st each year thereafter.

~~((b) Each February 1st, beginning February 1, 1995, the department shall submit an annual progress report, to the legislature, detailing the extent to which the state's affordable housing needs were met during the preceding year and recommendations for meeting those needs))~~

(5) To guide counties in preparation of county affordable housing for all plans required under section 8 of this act, the department shall issue, by December 31, 2007, guidelines for preparing county plans consistent with this chapter. County plans must be substantially consistent with the goals and program recommendations of the state affordable housing for all plan and must include, at a minimum, the same information analysis, on a local level, as described in subsection (3) of this section and must include the performance measures outlined in section 6 of this act.

(6) Based on changes to the general population and in the housing market, the department may revise the performance measures and goals of the state affordable housing for all plan and set goals for years following December 31, 2020.

NEW SECTION. Sec. 6. (1) The department, in consultation with a task force established by the department consisting of the chairs of the appropriate committees of the legislature, representatives appointed by the director from a minimum of five county affordable housing for all task forces representing urban and rural areas as well as communities east and west of the Cascade mountains, representatives from private for-profit housing developers that have experience with low-income housing, and representatives from statewide housing advocacy organizations, shall create affordable housing for all program outcomes and performance measures and goals addressing, at a minimum, the success of the state and each county in the following areas:

(a) An overall measurement of the affordable housing needs met for extremely low, low, and low-income households within each twelve-month period;

(b) A measure of the change in the cost of housing relative to the change in wages;

(c) A measure of the increase in affordable rental housing;

(d) A measure of the increase in self-sufficiency amongst individuals and families;

(e) A measure of the increase in individuals' and family wages;

(f) A measure of community support for the state and county plans;

(g) A measure of county government financial support for the program;

(h) A measure of the financial viability of the state and county plans;

(i) A measure of the financial efficiency of the housing programs funded by the county;

(j) A measure of the quality of the state and county plans; and

(k) A measure of the quality of the management of county governments.

Measurement reporting must be subdivided by county, major city, and political geography, and yearly targets for these results must be included. Performance measures must be included in the department's state affordable housing for all plan and all county affordable housing for all plans and must be provided to the joint legislative audit and review committee.

(2) Performance measures and yearly targets must be established by December 31, 2007, and must be reviewed annually by the department after soliciting feedback from all county affordable housing for all task forces.

(3) The department may determine a timeline to implement and measure each performance measure for the state and county plans, except that the state and all counties participating in the affordable housing for all program must implement and respond to all performance measures by January 1, 2010, unless the department determines that a performance measure is not applicable to a specific county based on parameters and thresholds established by the department.

NEW SECTION. Sec. 7. Each county shall convene a county affordable housing task force. The task force must be a committee, made up of volunteers, created to prepare and recommend to the county legislative authority a county affordable housing for all plan and also to recommend appropriate expenditures of the affordable housing for all program funds provided for in RCW 36.22.178 (as recodified by this act) and any other sources directed to the county program. The county affordable housing task force must include a representative of the county, a representative from the city with the highest population in the county, a representative from all other cities in the county with a population greater than fifty thousand, a member representing beneficiaries of affordable housing programs, other members as may be required to maintain eligibility for federal funding related to housing programs and services, and a representative from both a private nonprofit organization and a private for-profit organization with experience in very low-income housing. The task force may be the same as the homeless housing task force created in RCW 43.185C.160 or the same as another existing task force or other formal committee that meets the requirements of this section.

NEW SECTION. Sec. 8. (1) Each county shall direct its affordable housing task force to prepare and recommend to its county legislative authority a county affordable housing for all plan for its jurisdictional area. Each county shall adopt a county plan by June 30, 2008, and update the plan annually by June 30th thereafter. All plans must be forwarded to the department by the date of adoption. County affordable housing for all plans may be combined with the local homeless housing plans required under RCW 43.185C.040 or any other existing plan addressing housing within a county as long as the requirements of all of the plans to be merged are met. For counties required or choosing to plan under RCW 36.70A.040, county affordable housing for all plans must be consistent with the housing elements of comprehensive plans described in RCW 36.70A.070(2). County plans must also be consistent with any existing local homeless housing plan required in RCW 43.185C.050.

(2) County affordable housing for all plans must be primarily focused on (a) ensuring that every very low-income household in the county jurisdictional area has a decent, appropriate, and affordable home in a healthy, safe environment by 2020 and (b) increasing the percentage of very low-income households that access affordable housing without government assistance. County plans must include information and performance measurement data where available on all city and county housing programs, including local housing-related levy initiatives, housing-related tax exemption programs, and federally funded programs operated or coordinated by the state or local governments. County plans must be substantially consistent with the goals, performance measures, and program recommendations of the state affordable housing for all plan and must include, at a

minimum, the same information, analysis, and performance measures as described in RCW 43.185B.040 (as recodified by this act) and section 6 of this act. In addition to these performance measures, counties must report on a common performance measure, to be determined by the department, measuring the health and safety of tenants of affordable rental housing. All towns, cities, and counties must report information related to this performance measure to the county task force to the greatest extent practicable using available funds. Counties shall report on achievements according to stated performance measures to the department annually by December 1st, beginning in 2008.

(3) In addition to fulfilling the requirements of subsections (1) and (2) of this section, county affordable housing for all plans must include:

(a) Timelines for the accomplishment of interim goals and targets, and for the acquisition of projected financing that is appropriate for outlined goals and targets;

(b) An identification of challenges to reaching the affordable housing for all goal;

(c) A total estimated amount of funds needed to reach the local affordable housing for all goal and an identification of potential funding sources; and

(d) State legislative recommendations to enable the county to achieve its affordable housing for all goals. Legislative recommendations must be specific and, if necessary, include an estimated amount of funding required and suggestions of an appropriate funding source.

(4) Each year, the department shall:

(a) Summarize key information from county plans, including a summary of local city and county housing program activities and a summary of legislative recommendations;

(b) Conduct annual performance evaluations of county plans; and

(c) Conduct annual performance evaluations of all counties according to their performance in achieving stated affordable housing goals in their plans.

(5) The department shall present the summary of county affordable housing for all plans and the results of performance evaluations to the appropriate committees of the legislature annually on or before December 31st.

NEW SECTION. Sec. 9. (1) Any county may decline to participate in the affordable housing for all program authorized in this chapter by forwarding to the department a resolution adopted by the county legislative authority stating the intention not to participate. A copy of the resolution must also be transmitted to the county auditor and treasurer. Counties that decline to participate shall not be required to establish an affordable housing task force or to create a county affordable housing for all plan. Counties declining to participate in the affordable housing for all program shall continue to collect and utilize the affordable housing for all surcharge for the purposes described in RCW 36.22.178; however, such counties shall not be allocated any additional affordable housing for all program funding. Counties may opt back into the affordable housing for all program authorized by this chapter at a later date through a process and timeline to be determined by the department.

(2) If a county declines to participate in the affordable housing for all program authorized in this chapter, a city or formally organized collaborative of cities within that county may forward a resolution to the department stating its intention and willingness to operate an affordable housing for all program within its jurisdictional limits. The department must establish procedures to choose amongst

cities or collaboratives of cities in the event that more than one city or collaborative of cities express an interest in participating in the program. Participating cities or collaboratives of cities must fulfill the same requirements as counties participating in the affordable housing for all program.

NEW SECTION. Sec. 10. A county may subcontract with any other county, city, town, housing authority, community action agency, or other nonprofit organization for the execution of programs contributing to the affordable housing for all goal. All subcontracts must be: Consistent with the county affordable housing for all plan adopted by the legislative authority of the county; time limited; and filed with the department, and must have specific performance terms as specified by the county. County governments must strongly encourage all subcontractors under the affordable housing for all program to apply to the full examination Washington state quality award program. This authority to subcontract with other entities does not affect participating counties' ultimate responsibility for meeting the requirements of the affordable housing for all program.

Sec. 11. RCW 36.22.178 and 2005 c 484 s 18 are each amended to read as follows:

The surcharge provided for in this section shall be named the affordable housing for all program surcharge.

(1) Except as provided in subsection ~~((2))~~ (3) of this section, a surcharge of ten dollars per instrument shall be charged by the county auditor for each document recorded, which will be in addition to any other charge authorized by law. The county may retain up to five percent of these funds collected solely for the collection, administration, and local distribution of these funds. Of the remaining funds, forty percent of the revenue generated through this surcharge will be transmitted monthly to the state treasurer who will deposit the funds into the ~~((Washington housing trust account))~~ home security fund account created in section 12 of this act. The office of community development of the department of community, trade, and economic development will develop guidelines for the use of these funds to support building operation and maintenance costs of housing projects or units within housing projects that are affordable to extremely low-income ~~((persons))~~ households with incomes at or below thirty percent of the area median income, and that require a supplement to rent income to cover ongoing operating expenses.

(2) All of the remaining funds generated by this surcharge will be retained by the county and be deposited into a fund that must be used by the county and its cities and towns for eligible housing ((projects or units within housing projects that are affordable to)) activities as described in this subsection that serve very low-income ((persons)) households with incomes at or below fifty percent of the area median income. The portion of the surcharge retained by a county shall be allocated to eligible housing activities that serve extremely low and very low-income ((housing projects or units within such housing projects)) households in the county and the cities within a county according to an interlocal agreement between the county and the cities within the county consistent with countywide and local housing needs and policies. ~~((The funds generated with this surcharge shall not be used for construction of new housing if at any time the vacancy rate for available low-income housing within the county rises above ten percent. The vacancy rate for each county shall be developed using the state low-income vacancy rate standard developed under subsection (3) of this section. Uses of))~~ A priority must be given to eligible housing activities that serve extremely low-income households with incomes at or below thirty percent of the area median income. For counties participating in the affordable

housing for all program, all eligible housing activities funded must be consistent with strategies outlined in the county affordable housing for all plan. Eligible housing activities to be funded by these ((local)) county funds are limited to:

(a) Acquisition, construction, or rehabilitation of housing projects or units within housing projects that are affordable to very low-income ~~((persons))~~ households with incomes at or below fifty percent of the area median income, including units for homeownership, rental units, seasonal and permanent farm worker housing units, and single room occupancy units;

(b) Supporting building operation and maintenance costs of housing projects or units within housing projects eligible to receive housing trust funds, that are affordable to very low-income ~~((persons))~~ households with incomes at or below fifty percent of the area median income, and that require a supplement to rent income to cover ongoing operating expenses;

(c) Rental assistance vouchers ~~((projects or))~~ units ((within housing projects)) that are affordable to very low-income ~~((persons))~~ households with incomes at or below fifty percent of the area median income, to be administered by a local public housing authority or other local organization that has an existing rental assistance voucher program, consistent with or similar to the United States department of housing and urban development's section 8 rental assistance voucher program standards. The department shall develop statewide guidelines for rental assistance programs by 2008, which must include, at a minimum, guidelines and related performance measures to ensure acceptable housing quality for voucher recipients, as well as tenant protections consistent with federal section 8 rental assistance voucher program standards; and

(d) Operating costs for emergency shelters and licensed overnight youth shelters.

~~((2))~~ (3) The surcharge imposed in this section does not apply to assignments or substitutions of previously recorded deeds of trust.

~~((3))~~ The real estate research center at Washington State University shall develop a vacancy rate standard for low-income housing in the state as described in RCW 18.85.540(1)(i))

(4) All counties shall report at least annually upon receipts and expenditures of the affordable housing for all program surcharge funds created in this section to the department. The department may require more frequent reports. The report must include the amount of funding generated by the surcharge, the total amount of funding distributed to date, the amount of funding allocated to each eligible housing activity, a description of each eligible housing activity funded, including information on the income or wage level and numbers of extremely low and low-income households the eligible housing activity is intended to serve, and the outcome or anticipated outcome of each eligible housing activity. Counties participating in the affordable housing for all program shall also report annually on performance measures, including performance measures outlined in section 6 of this act and others to be determined by the department, related to uses of the affordable housing for all program surcharge funds.

NEW SECTION. Sec. 12. The home security fund account is created in the custody of the state treasurer. The state's portion of the surcharges established in RCW 36.22.178 and 36.22.179 (as recodified by this act), and section 25 of this act shall be deposited in the account, as well as all other sources directed to the affordable housing for all program and the homeless housing and assistance program. Expenditures from the account may only be used for the affordable housing for all program and the homeless housing and assistance program as described in this act. Only the director or the

director's designee may authorize expenditures from the account. The account is subject to allotment procedures under chapter 43.88 RCW, but an appropriation is not required for expenditures.

Sec. 13. RCW 36.18.010 and 2005 c 484 s 19 and 2005 c 374 s 1 are each reenacted and amended to read as follows:

County auditors or recording officers shall collect the following fees for their official services:

(1) For recording instruments, for the first page eight and one-half by fourteen inches or less, five dollars; for each additional page eight and one-half by fourteen inches or less, one dollar. The fee for recording multiple transactions contained in one instrument will be calculated for each transaction requiring separate indexing as required under RCW 65.04.050 as follows: The fee for each title or transaction is the same fee as the first page of any additional recorded document; the fee for additional pages is the same fee as for any additional pages for any recorded document; the fee for the additional pages may be collected only once and may not be collected for each title or transaction;

(2) For preparing and certifying copies, for the first page eight and one-half by fourteen inches or less, three dollars; for each additional page eight and one-half by fourteen inches or less, one dollar;

(3) For preparing noncertified copies, for each page eight and one-half by fourteen inches or less, one dollar;

(4) For administering an oath or taking an affidavit, with or without seal, two dollars;

(5) For issuing a marriage license, eight dollars, (this fee includes taking necessary affidavits, filing returns, indexing, and transmittal of a record of the marriage to the state registrar of vital statistics) plus an additional five-dollar fee for use and support of the prevention of child abuse and neglect activities to be transmitted monthly to the state treasurer and deposited in the state general fund plus an additional ten-dollar fee to be transmitted monthly to the state treasurer and deposited in the state general fund. The legislature intends to appropriate an amount at least equal to the revenue generated by this fee for the purposes of the displaced homemaker act, chapter 28B.04 RCW;

(6) For searching records per hour, eight dollars;

(7) For recording plats, fifty cents for each lot except cemetery plats for which the charge shall be twenty-five cents per lot; also one dollar for each acknowledgment, dedication, and description: PROVIDED, That there shall be a minimum fee of twenty-five dollars per plat;

(8) For recording of miscellaneous records not listed above, for the first page eight and one-half by fourteen inches or less, five dollars; for each additional page eight and one-half by fourteen inches or less, one dollar;

(9) For modernization and improvement of the recording and indexing system, a surcharge as provided in RCW 36.22.170;

(10) For recording an emergency nonstandard document as provided in RCW 65.04.047, fifty dollars, in addition to all other applicable recording fees;

(11) For recording instruments, a surcharge as provided in RCW 36.22.178 (as recodified by this act); and

~~((12))~~ (12) For recording instruments, except for documents recording a birth, marriage, divorce, or death or any documents otherwise exempted from a recording fee under state law, a surcharge as provided in RCW 36.22.179 (as recodified by this act).

NEW SECTION. Sec. 14. This chapter does not require either the department or any local government to expend any funds to

accomplish the goals of this chapter other than the revenues authorized in this act and other revenue that may be appropriated by the legislature for these purposes. However, neither the department nor any local government may use any funds authorized in this act to supplant or reduce any existing expenditures of public money to address the affordable housing shortage.

NEW SECTION. Sec. 15. The joint legislative audit and review committee shall conduct a performance audit of the state affordable housing for all program every four years. The audit must include an analysis of the department's expenditures of funds from sources established by RCW 36.22.178 (as recodified by this act) and all other sources directed to the affordable housing for all program. The first audit must be conducted on or before December 31, 2010. Each audit must take no longer than six months or fifty thousand dollars to complete.

NEW SECTION. Sec. 16. (1) The joint legislative audit and review committee shall conduct an evaluation and comparison of the cost-efficiency of rental housing voucher programs funded with state or local moneys versus other low-income housing projects funded with state or local moneys that are intended to assist low-income households to obtain and retain affordable housing. The study must consider factors including administrative costs, capital costs, and other operating costs involved in the implementation and management of rental housing voucher programs. The study must compare the number of households that may be served, given a set amount of available funds, through rental housing voucher programs funded with state or local moneys with other housing projects funded with state or local moneys, including new construction and rehabilitation of housing units. The department of community, trade, and economic development, the Washington state housing finance commission, housing authorities, community action agencies, and local governments shall provide the joint legislative audit and review committee with information necessary for the evaluation study.

(2) The joint legislative audit and review committee shall solicit input regarding the study from interested parties, including representatives from the affordable housing advisory board, the department of community, trade, and economic development, the Washington state housing finance commission, representatives from the private rental housing industry, housing authorities, community action agencies, county and city governments, and nonprofit and for-profit housing developers.

(3) The joint legislative audit and review committee shall present the results of this study to the appropriate committees of the legislature by December 31, 2008.

(4) This section expires December 31, 2008.

NEW SECTION. Sec. 17. (1) The department, the Washington state housing finance commission, the affordable housing advisory board, and all participating county governments, housing authorities, and other nonprofit organizations receiving state funds, county affordable housing for all surcharge funds, or financing through the housing finance commission, shall, by December 31, 2007, and annually thereafter, review current housing reporting requirements related to housing programs and services and give recommendations to the legislature to streamline and simplify all planning and reporting requirements. The entities listed in this section shall also give recommendations for additional legislative actions that could promote the affordable housing for all goal.

(2) The department shall collaborate with the Washington state housing finance commission and representatives from statewide

organizations representing counties, cities, housing authorities, nonprofit groups involved in affordable housing, and other interested parties, to create a strategy to streamline and, when possible, consolidate state, city, town, and county reporting requirements to address the inefficiencies associated with multiple reporting requirements. The department shall present the strategy to the appropriate committees of the legislature by December 31, 2007.

Sec. 18. RCW 43.63A.650 and 1999 c 267 s 3 are each amended to read as follows:

(1) The department shall be the principal state department responsible for coordinating federal and state resources and activities in housing, except for programs administered by the Washington state housing finance commission under chapter 43.180 RCW, and for evaluating the operations and accomplishments of other state departments and agencies as they affect housing. The department shall conduct annual performance evaluations of all state department and agency services provided to extremely low, very low, and low-income persons needing housing assistance, as well as all other housing-related programs and activities. The department shall provide copies of the evaluation reports to the appropriate committees of the legislature and the affordable housing advisory board by December 31st of each year.

(2) The department shall work with ~~((local governments))~~ cities, towns, counties, tribal organizations, local housing authorities, nonprofit community or neighborhood-based organizations, and regional or statewide nonprofit housing assistance organizations, for the purpose of coordinating federal and state resources with local resources for housing.

(3) The department shall be the principal state department responsible for providing shelter and housing services to homeless families with children. The department shall have the principal responsibility to coordinate, plan, and oversee the state's activities for developing a coordinated and comprehensive plan to serve homeless families with children. The plan shall be developed collaboratively with the department of social and health services. The department shall include community organizations involved in the delivery of services to homeless families with children, and experts in the development and ongoing evaluation of the plan. The department shall follow professionally recognized standards and procedures. The plan shall be implemented within amounts appropriated by the legislature for that specific purpose in the operating and capital budgets. The department shall submit the plan to the appropriate committees of the senate and house of representatives no later than September 1, 1999, and shall update the plan and submit it to the appropriate committees of the legislature by January 1st of every odd-numbered year through 2007. The plan shall address at least the following: (a) The need for prevention assistance; (b) the need for emergency shelter; (c) the need for transitional assistance to aid families into permanent housing; (d) the need for linking services with shelter or housing; and (e) the need for ongoing monitoring of the efficiency and effectiveness of the plan's design and implementation.

Sec. 19. RCW 43.185C.005 and 2005 c 484 s 1 are each amended to read as follows:

Despite laudable efforts by all levels of government, private individuals, nonprofit organizations, and charitable foundations to end homelessness, the number of homeless persons in Washington is unacceptably high. The state's homeless population, furthermore, includes a large number of families with children, youth, and employed persons. The legislature finds that the fiscal and societal

costs of homelessness are high for both the public and private sectors, and that ending homelessness ~~((should))~~ must be a goal for state and local government.

The legislature finds that there are many causes of homelessness, including a shortage of affordable housing; a shortage of good family-wage jobs which undermines housing affordability; a lack of an accessible and affordable health care system available to all who suffer from physical and mental illnesses and chemical and alcohol dependency; domestic violence; ~~((and))~~ a lack of education and job skills necessary to acquire adequate wage jobs in the economy of the twenty-first century; inadequate availability of services for citizens with mental illness and developmental disabilities living in the community; and the difficulties faced by formerly institutionalized persons in reintegrating to society and finding stable employment and housing.

The support and commitment of all sectors of the statewide community is critical to the chances of success in ending homelessness in Washington. While the provision of housing and housing-related services to the homeless should be administered at the local level to best address specific community needs, the legislature also recognizes the need for the state to play a primary coordinating, supporting, ~~((and))~~ monitoring, and evaluating role. There must be a clear assignment of responsibilities and a clear statement of achievable and quantifiable goals. Systematic statewide data collection on ~~((homelessness))~~ homeless individuals in Washington must be a critical component of such a program enabling the state to work with local governments not only to count all homeless people in the state, but to record and manage information about homeless persons ((and)) in order to assist them in finding housing and other supportive services that can help them, when possible, achieve the highest degree of self-sufficiency and economic independence that is appropriate given their specific abilities and situations.

The systematic collection and rigorous evaluation of homeless data, a nationwide search for and implementation through adequate resource allocation of best practices, and the systematic measurement of progress toward interim goals and the ultimate goal of ending homelessness are all necessary components of a statewide effort to end homelessness in Washington by July 1, 2015.

Sec. 20. RCW 43.185C.040 and 2005 c 484 s 7 are each amended to read as follows:

(1) ~~((Six months after the first Washington homeless census,))~~ The department shall, in consultation with the interagency council on homelessness, the state advisory council on homelessness, and the affordable housing advisory board, prepare and ((publish a ten-year homeless housing)) annually update a state homeless housing strategic plan which ((shall)) must outline statewide goals and performance measures ((and shall be coordinated with the plan for homeless families with children required under RCW 43.63A.650. To guide local governments in preparation of their first local homeless housing plans due December 31, 2005, the department shall issue by October 15, 2005, temporary guidelines consistent with this chapter and including the best available data on each community's homeless population)). Local governments' ((ten-year homeless housing)) homeless housing plans ((shall not)) must include all of the performance measures included in the state homeless housing strategic plan and must be substantially ((inconsistent)) consistent with the goals and program recommendations of ((the temporary guidelines and, when amended after 2005,)) the state homeless housing strategic plan.

(2)(a) Program outcomes and performance measures and goals ((shall)) must be created by the department ((and reflected)) in consultation with the interagency council on homelessness and a task force established by the department consisting of the committee chairs of the appropriate committees of the legislature, representatives appointed by the director from a minimum of five local ending homelessness task forces representing both urban and rural areas and communities east and west of the Cascade mountains, and a representative from a statewide membership organization that advocates for ending homelessness. The task force must also produce guidelines for local governments regarding methods, techniques, and data suggested to measure each performance measure. Performance measures, yearly targets, and corresponding measurement guidelines must be established by December 31, 2007, and must be reviewed annually by the department and the interagency council on homelessness after soliciting feedback from all local homeless housing task forces. Performance measures must be included in the department's ((homeless housing)) state homeless housing strategic plan ((as well as)) and all local homeless housing plans.

(b) The department may determine a timeline for implementation and measurement of each performance measure for the state and local homeless housing plans, except that the state and all local governments must implement and respond to all performance measures by December 31, 2009, unless the department finds that a performance measure is not applicable to a specific local area according to parameters and thresholds established by the department.

(c) Performance measures must be created, at a minimum, to gauge the success of the state and each local government in the following areas:

- (i) The societal cost of homelessness;
- (ii) The cost of ending homelessness in comparison with available and committed resources;
- (iii) The self-sufficiency of persons in Washington;
- (iv) The achievement of an appropriate level of self-sufficiency for homeless individuals;
- (v) The quality and completeness of the Washington homeless client management information system database;
- (vi) The quality of the performance management systems of state agencies, local governments, and local government subcontractors executing programs, as authorized by RCW 43.185C.080(1), that contribute to the overall goal of ending homelessness; and
- (vii) The quality of local homeless housing plans.

Performance measurements are reported upon by city and county geography, including demographics with yearly or more frequent targets.

(3) Interim goals against which state and local governments' performance may be measured must also be described and reported upon in the state homeless housing strategic plan, including:

- (a) ((By the end of year one, completion of the first census as described in RCW 43.185C.030;
- ((b)) By the end of each subsequent year, goals common to all state and local programs which are measurable and the achievement of which would move that community toward housing its homeless population; and

((c)) (b) By July 1, 2015, reduction of the homeless population statewide and in each county by fifty percent.

((d)) (4) The department shall develop a consistent statewide data gathering instrument to monitor the performance of cities and counties receiving homeless housing grants in order to determine compliance with the terms and conditions set forth in the homeless housing grant application or required by the department.

(5) The department shall, in consultation with the interagency council on homelessness, the state advisory council on homelessness, and the affordable housing advisory board, report annually to the governor and the appropriate committees of the legislature ((an assessment of)) the fiscal and societal costs of the homeless crisis, including identifying, to the extent practical, savings in state and local program costs that could be obtained through the achievement of stable housing for the clients served by those programs.

(6) The department shall also deliver a summary annual report, including information about:

(a) All state programs addressing homeless housing and services;

(b) The state's performance in furthering the goals of the state ((ten-year)) homeless housing strategic plan; and

(c) The performance of each participating local government in creating and executing a local homeless housing plan ((which)) that meets the requirements of this chapter. ((The annual report may include performance measures such as:

- (a) The reduction in the number of homeless individuals and families from the initial count of homeless persons;
- (b) The number of new units available and affordable for homeless families by housing type;
- (c) The number of homeless individuals identified who are not offered suitable housing within thirty days of their request or identification as homeless;
- (d) The number of households at risk of losing housing who maintain it due to a preventive intervention;
- (e) The transition time from homelessness to permanent housing;
- (f) The cost per person housed at each level of the housing continuum;
- (g) The ability to successfully collect data and report performance;
- (h) The extent of collaboration and coordination among public bodies, as well as community stakeholders, and the level of community support and participation;
- (i) The quality and safety of housing provided; and
- (j) The effectiveness of outreach to homeless persons, and their satisfaction with the program.

((4)) (7) The state homeless housing plan must also include a response to each recommendation included in the local homeless housing plans for policy changes to assist in ending homelessness and a summary of the recommendations to the legislature to streamline and simplify all housing planning and reporting requirements, as required in section 17 of this act.

(8) Based on the performance of local homeless housing programs in meeting their interim goals, on general population changes and on changes in the homeless population recorded in the ((annual)) census, the department may revise the performance measures and goals of the state homeless housing strategic plans, set goals for years following the initial ten-year period, and recommend changes in local governments' homeless housing plans.

Sec. 21. RCW 43.185C.050 and 2005 c 484 s 8 are each amended to read as follows:

(1)(a)(i) Each local homeless housing task force shall prepare and recommend to its local government legislative authority a ((ten-year)) local homeless housing plan for its jurisdictional area ((which shall be not inconsistent)) that is consistent with the department's ((statewide temporary guidelines, for the December 31, 2005, plan, and thereafter the department's ten-year homeless housing)) state homeless housing strategic plan and ((which shall be)) is aimed at eliminating homelessness, with a minimum goal of reducing

homelessness by fifty percent by July 1, 2015. ~~((The local government may amend the proposed local plan and shall adopt a plan by December 31, 2005. Performance in meeting the goals of this local plan shall be assessed annually in terms of the performance measures published by the department.))~~ Local governments must update their local homeless housing plans annually on a schedule to be determined by the department.

(ii) Local plans must include specific strategic objectives, consistent with the state plan, and must include corresponding action plans. Local plans must address identified strategies to meet the needs of all homeless populations, including chronic homeless, short-term homeless, families, individuals, and youth. Each local plan must include the total estimated cost of accomplishing the goals of the plan to reduce homelessness by fifty percent by July 1, 2015, and must include an accounting of total committed funds for this purpose.

(b)(i) The department must conduct an annual performance evaluation of each local plan by December 31st of each year beginning in 2007. The department must also conduct an annual performance evaluation of each local government's performance related to its local plan by December 31st of each year beginning in 2007. A local government's performance must be evaluated using, at a minimum, the performance measures outlined in RCW 43.185C.040(2).

(ii) In addition to the performance measures mandated in RCW 43.185C.040(2), local plans may include specific local performance measures adopted by the local government legislative authority ~~(:)~~ and ~~((may))~~ must include recommendations for ~~((any))~~ state legislation needed to meet the state or local plan goals. The recommendations must be specific and must, if funding is required, include an estimated amount of funding required and suggestions for an appropriate funding source.

(2) Eligible activities under the local plans include:

(a) Rental and furnishing of dwelling units for the use of homeless persons;

(b) Costs of developing affordable housing for homeless persons, and services for formerly homeless individuals and families residing in transitional housing or permanent housing and still at risk of homelessness;

(c) Operating subsidies for transitional housing or permanent housing serving formerly homeless families or individuals;

(d) Services to prevent homelessness, such as emergency eviction prevention programs, including temporary rental subsidies to prevent homelessness;

(e) Temporary services to assist persons leaving state institutions and other state programs to prevent them from becoming or remaining homeless;

(f) Outreach services for homeless individuals and families;

(g) Development and management of local homeless housing plans, including homeless census data collection ~~(:)~~ and information, identification of goals, performance measures, strategies, and costs, and evaluation of progress towards established goals;

(h) Rental vouchers payable to landlords for persons who are homeless or below thirty percent of the median income or in immediate danger of becoming homeless; ~~((and))~~

(i) Implementing a quality management program and applying to the full examination Washington state quality award program; and

(j) Other activities to reduce and prevent homelessness as identified for funding in the local plan.

Sec. 22. RCW 43.185C.080 and 2005 c 484 s 12 are each amended to read as follows:

~~(1) ((Only a local government is eligible to receive a homeless housing grant from the homeless housing account. Any city may assert responsibility for homeless housing within its borders if it so chooses, by forwarding a resolution to the legislative authority of the county stating its intention and its commitment to operate a separate homeless housing program. The city shall then receive a percentage of the surcharge assessed under RCW 36.22.179 equal to the percentage of the city's local portion of the real estate excise tax collected by the county. A participating city may also then apply separately for homeless housing program grants. A city choosing to operate a separate homeless housing program shall be responsible for complying with all of the same requirements as counties and shall adopt a local homeless housing plan meeting the requirements of this chapter for county local plans. However, the city may by resolution of its legislative authority accept the county's homeless housing task force as its own and based on that task force's recommendations adopt a homeless housing plan specific to the city.~~

~~(2))~~ Local governments ~~((applying for homeless housing funds))~~ may subcontract with any other local government, housing authority, community action agency, or other nonprofit organization for the execution of programs contributing to the overall goal of ending homelessness within a defined service area. All subcontracts ~~((shall))~~ must be consistent with the local homeless housing plan adopted by the legislative authority of the local government, time limited, and filed with the department, and ~~((shall))~~ must have specific performance terms. Local governments must strongly encourage all subcontractors under the homeless housing and assistance program to apply to the full examination Washington state quality award program. While a local government has the authority to subcontract with other entities, the local government continues to maintain the ultimate responsibility for the homeless housing program within its ~~((borders))~~ jurisdiction.

~~((3))~~ (2) A county may decline to participate in the program authorized in this chapter by forwarding to the department a resolution adopted by the county legislative authority stating the intention not to participate. A copy of the resolution ~~((shall))~~ must also be transmitted to the county auditor and treasurer. If ~~((such a))~~ the resolution is adopted, all of the funds otherwise due to the county under RCW ~~((43.185C.060 shall))~~ 36.22.179 (as recodified by this act) and section 25 of this act, minus funds due to any city that has chosen to participate through the process established in subsection (3) of this section, must be remitted monthly to the state treasurer for deposit in the ~~((homeless housing))~~ home security fund account, without any reduction by the county for collecting or administering the funds. Upon receipt of the resolution, the department shall promptly begin to identify and contract with one or more entities eligible under this section to create and execute a local homeless housing plan for the county meeting the requirements of this chapter. The department shall expend all of the funds received from the county under this subsection to carry out the purposes of this chapter ~~((484, Laws of 2005))~~ in the county, ~~((provided that))~~ but the department may retain six percent of these funds to offset the cost of managing the county's program.

(3) Any city may assert responsibility for homeless housing within its borders, by forwarding a resolution to the legislative authority of the county stating its intention and its commitment to operate a separate homeless housing program. A city choosing to operate a separate homeless housing program receives a percentage of the surcharge assessed under RCW 36.22.179 (as recodified by this act) and under section 25 of this act equal to the percentage of the city's local portion of the real estate excise tax collected by the county. A participating city may also then apply separately for

homeless housing grants. A city choosing to operate a separate homeless housing program must comply with all of the same requirements as counties and shall adopt a local homeless housing plan meeting the requirements of this chapter for local homeless housing plans.

(4) A resolution by the county declining to participate in the program ~~((shall have))~~ has no effect on the ~~((ability))~~ authority of each city in the county to assert its right to manage its own program under this chapter, and the county shall monthly transmit to the city the funds due under ~~((this chapter))~~ RCW 36.22.179 (as recodified by this act) and section 25 of this act.

Sec. 23. RCW 43.185C.160 and 2005 c 485 s 1 are each amended to read as follows:

(1) Each county shall create a homeless housing task force to develop a ~~((ten-year))~~ homeless housing plan addressing short-term and long-term services and housing ~~((for homeless persons))~~ to prevent and reduce homelessness by fifty percent by 2015.

Membership on the task force may include representatives of the counties, cities, towns, housing authorities, civic and faith organizations, schools, community networks, human services providers, law enforcement personnel, criminal justice personnel, including prosecutors, probation officers, and jail administrators, substance abuse treatment providers, mental health care providers, emergency health care providers, businesses, at-large representatives of the community, and a homeless or formerly homeless individual.

In lieu of creating a new task force, a local government may designate an existing governmental or nonprofit body ~~((which))~~ that substantially conforms to this section and ~~((which))~~ includes at least one homeless or formerly homeless individual to serve as its homeless representative. As an alternative to a separate plan, two or more local governments may work in concert to develop and execute a joint homeless housing plan, or to contract with another entity to do so according to the requirements of this chapter. While a local government has the authority to subcontract with other entities, the local government continues to maintain the ultimate responsibility for the homeless housing program within its borders.

~~((A county may decline to participate in the program authorized in this chapter by forwarding to the department a resolution adopted by the county legislative authority stating the intention not to participate. A copy of the resolution shall also be transmitted to the county auditor and treasurer. If a county declines to participate, the department shall create and execute a local homeless housing plan for the county meeting the requirements of this chapter.))~~

(2) In addition to developing a ~~((ten-year))~~ homeless housing plan, each task force shall establish guidelines consistent with the ~~((statewide))~~ state homeless housing strategic plan, as needed, for the following:

- (a) Emergency shelters;
- (b) Short-term housing needs;
- (c) Temporary encampments;
- (d) Rental voucher programs;
- ~~(e)~~ (f) Supportive housing for chronically homeless persons; ((and
- ~~(e))~~ (f) Long-term housing; and
- ~~(g)~~ (g) Prevention services.

Guidelines must include, when appropriate, standards for health and safety and notifying the public of proposed facilities to house the homeless.

(3) Each county ~~((including counties exempted from creating a new task force under subsection (1) of this section.))~~ shall report to the department of community, trade, and economic development

~~((such))~~ any information ~~((as may be))~~ needed to ensure compliance with this chapter.

Sec. 24. RCW 36.22.179 and 2005 c 484 s 9 are each amended to read as follows:

(1) In addition to the surcharge authorized in RCW 36.22.178 (as recodified by this act), and except as provided in subsection (2) of this section, an additional surcharge of ten dollars shall be charged by the county auditor for each document recorded, which will be in addition to any other charge allowed by law. The funds collected pursuant to this section are to be distributed and used as follows:

(a) The auditor shall retain two percent for collection of the fee, and of the remainder shall remit sixty percent to the county to be deposited into a fund that must be used by the county and its cities and towns to accomplish the purposes of chapter ~~((484, Laws of 2005))~~ 43.185C RCW, six percent of which may be used by the county for administrative costs related to its homeless housing plan, and the remainder for programs which directly accomplish the goals of the county's local homeless housing plan, except that for each city in the county which elects as authorized in RCW 43.185C.080 to operate its own local homeless housing program, a percentage of the surcharge assessed under this section equal to the percentage of the city's local portion of the real estate excise tax collected by the county shall be transmitted at least quarterly to the city treasurer, without any deduction for county administrative costs, for use by the city for program costs which directly contribute to the goals of the city's local homeless housing plan; of the funds received by the city, it may use six percent for administrative costs for its homeless housing program.

(b) The auditor shall remit the remaining funds to the state treasurer for deposit in the homeless housing home security fund account. The department may use twelve and one-half percent of this amount for administration of the program established in RCW 43.185C.020, including the costs of creating the statewide homeless housing strategic plan, measuring performance, providing technical assistance to local governments, and managing the homeless housing grant program. The remaining eighty-seven and one-half percent is to be ~~((distributed by the department to local governments through the homeless housing grant program))~~ used by the department to:

- (i) Provide housing and shelter for homeless people including, but not limited to: Grants to operate, repair, and staff shelters; grants to operate transitional housing; partial payments for rental assistance; consolidated emergency assistance; overnight youth shelters; and emergency shelter assistance; and
- (ii) Fund the homeless housing grant program.

(2) The surcharge imposed in this section does not apply to assignments or substitutions of previously recorded deeds of trust.

NEW SECTION. Sec. 25. A new section is added to chapter 43.185C RCW to read as follows:

(1) In addition to the surcharges authorized in RCW 36.22.178 and 36.22.179 (as recodified by this act), and except as provided in subsection (2) of this section, the county auditor shall charge an additional surcharge of eight dollars for each document recorded, which is in addition to any other charge allowed by law. The funds collected under this section are to be distributed and used as follows:

(a) The auditor shall remit ninety percent to the county to be deposited into a fund that must be used by the county and its cities and towns to accomplish the purposes of this chapter. Funds are to be used for programs that directly accomplish the goals of the county's local homeless housing plan, except that for each city in the county that elects, as authorized in RCW 43.185C.080(3), to operate its own homeless housing program, a percentage of the surcharge

assessed under this section equal to the percentage of the city's local portion of the real estate excise tax collected by the county must be transmitted at least quarterly to the city treasurer for use by the city for program costs that directly contribute to the goals of the city's homeless housing plan.

(b) The auditor shall remit the remaining funds to the state treasurer for deposit in the home security fund account. The department may use the funds for administering the program established in RCW 43.185C.020, including the costs of creating and updating the statewide homeless housing strategic plan, implementing and managing the Washington homeless client management information system established in RCW 43.185C.180, measuring performance, providing technical assistance to local governments, and managing the homeless housing grant program. Remaining funds may also be used to:

(i) Fund the creation of two self-sufficiency income standards established under section 26 of this act;

(ii) Provide housing and shelter for homeless people including, but not limited to: Grants to operate, repair, and staff shelters; grants to operate transitional housing; partial payments for rental assistance; consolidated emergency assistance; overnight youth shelters; and emergency shelter assistance; and

(iii) Fund the homeless housing grant program.

(2) The surcharge imposed in this section does not apply to assignments or substitutions of previously recorded deeds of trust.

NEW SECTION. Sec. 26. A new section is added to chapter 43.185C RCW to read as follows:

The department shall contract with the employment security department to annually establish two self-sufficiency income standards based upon the cost of living, including housing costs, which include mortgage or rent payments and utilities other than telephone, for each county in the state. The self-sufficiency income standards must be based upon the costs needed to support: (1) One adult individual; and (2) two adult individuals and one preschool-aged child and one school-aged child. These income standards will be translated into an equivalent hourly wage rate assuming one full-year, full-time earner for the self-sufficiency income standards for each county. The self-sufficiency income standards must be presented to the legislature by December 31, 2008. The employment security department must spend no more than one hundred ten thousand dollars in creating the initial self-sufficiency income standards and no more than fifty-five thousand dollars annually to update the standards. The employment security department shall deliver a report to the department and the appropriate committees of the legislature that details the number and percentage of individuals statewide and in each county who do not have a good family wage job and, as a result, earn less than the self-sufficiency income standards, as well as the number and percentage of individuals statewide and in each county who have a good family wage job and, as a result, earn an amount equivalent to or more than the self-sufficiency income standards.

NEW SECTION. Sec. 27. A new section is added to chapter 43.185C RCW to read as follows:

The joint legislative audit and review committee shall conduct a performance audit of the homeless housing and assistance program every four years. The first audit must be conducted by December 31, 2009. Each audit must take no longer than six months or fifty thousand dollars to complete.

Sec. 28. RCW 36.18.010 and 2005 c 484 s 19 and 2005 c 374 s 1 are each reenacted and amended to read as follows:

County auditors or recording officers shall collect the following fees for their official services:

(1) For recording instruments, for the first page eight and one-half by fourteen inches or less, five dollars; for each additional page eight and one-half by fourteen inches or less, one dollar. The fee for recording multiple transactions contained in one instrument will be calculated for each transaction requiring separate indexing as required under RCW 65.04.050 as follows: The fee for each title or transaction is the same fee as the first page of any additional recorded document; the fee for additional pages is the same fee as for any additional pages for any recorded document; the fee for the additional pages may be collected only once and may not be collected for each title or transaction;

(2) For preparing and certifying copies, for the first page eight and one-half by fourteen inches or less, three dollars; for each additional page eight and one-half by fourteen inches or less, one dollar;

(3) For preparing noncertified copies, for each page eight and one-half by fourteen inches or less, one dollar;

(4) For administering an oath or taking an affidavit, with or without seal, two dollars;

(5) For issuing a marriage license, eight dollars, (this fee includes taking necessary affidavits, filing returns, indexing, and transmittal of a record of the marriage to the state registrar of vital statistics) plus an additional five-dollar fee for use and support of the prevention of child abuse and neglect activities to be transmitted monthly to the state treasurer and deposited in the state general fund plus an additional ten-dollar fee to be transmitted monthly to the state treasurer and deposited in the state general fund. The legislature intends to appropriate an amount at least equal to the revenue generated by this fee for the purposes of the displaced homemaker act, chapter 28B.04 RCW;

(6) For searching records per hour, eight dollars;

(7) For recording plats, fifty cents for each lot except cemetery plats for which the charge shall be twenty-five cents per lot; also one dollar for each acknowledgment, dedication, and description: PROVIDED, That there shall be a minimum fee of twenty-five dollars per plat;

(8) For recording of miscellaneous records not listed above, for the first page eight and one-half by fourteen inches or less, five dollars; for each additional page eight and one-half by fourteen inches or less, one dollar;

(9) For modernization and improvement of the recording and indexing system, a surcharge as provided in RCW 36.22.170;

(10) For recording an emergency nonstandard document as provided in RCW 65.04.047, fifty dollars, in addition to all other applicable recording fees;

(11) For recording instruments, a surcharge as provided in RCW 36.22.178 as recodified by this act; (~~and~~

~~—(12))~~ (12) For recording instruments, except for documents recording a birth, marriage, divorce, or death or any documents otherwise exempted from a recording fee under state law, a surcharge as provided in RCW 36.22.179 as recodified by this act; and

(13) For recording instruments, except for documents recorded by the department of revenue, the department of labor and industries, and the employment security department and for documents recording a birth, marriage, divorce, or death or any documents otherwise exempted from a recording fee under state law, a surcharge as provided in section 25 of this act.

Sec. 29. RCW 43.185C.150 and 2005 c 484 s 21 are each amended to read as follows:

This chapter does not require either the department or any local government to expend any funds to accomplish the goals of this chapter other than the revenues authorized in ~~((chapter 484, Laws of 2005))~~ RCW 36.22.179 (as recodified by this act) and the revenues authorized in section 25 of this act. However, neither the department nor any local government may use any funds authorized in ~~((chapter 484, Laws of 2005))~~ RCW 36.22.179 (as recodified by this act) or the revenues authorized in section 25 of this act to supplant or reduce any existing expenditures of public money for the reduction or prevention of homelessness or services for homeless persons.

NEW SECTION. Sec. 30. RCW 36.22.179, 43.20A.790, and 43.63A.650 are each recodified as sections in chapter 43.185C RCW.

NEW SECTION. Sec. 31. RCW 36.22.178, 43.185B.020, and 43.185B.040 are each recodified as sections in chapter 43.--- RCW (created in section 32 of this act).

NEW SECTION. Sec. 32. Sections 1 through 4, 6 through 10, 12, 14, and 15 of this act constitute a new chapter in Title 43 RCW.

NEW SECTION. Sec. 33. If specific funding for the purposes of sections 1 through 18 of this act, referencing this act by bill, chapter, or section, number, is not provided by June 30, 2007, in the omnibus appropriations act, this act is null and void."

Correct the title.

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

Representative Alexander spoke against the adoption of the amendment.

Division was demanded and the demand was sustained. The Speaker (Representative Lovick presiding) divided the House. The result was 61 - YEAS; 36 -NAYS.

The amendment 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 Miloscia and Darneille spoke in favor of passage of the bill.

Representative Schindler and Alexander spoke against the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 1359.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1359 and the bill passed the House by the following vote: Yeas - 57, Nays - 39, Absent - 0, Excused - 1, Not Voting - 1.

Voting yea: Representatives Appleton, Barlow, Campbell, Chase, Clibborn, Cody, Conway, Darneille, Dickerson, Dunshee, Eddy, Eickmeyer, Ericks, Flannigan, Fromhold, Goodman, Green, Haigh, Hasegawa, Hudgins, Hunt, Hunter, Jarrett, Kagi, Kenney, Kessler, Kirby, Lantz, Linville, Lovick, McCoy, McDermott, McIntire, Miloscia, Moeller, Morrell, Morris, O'Brien, Ormsby, Pedersen, Pettigrew, Priest, Roberts, Rolfes, Santos, Seaquist, Sells, Simpson, Sommers, Springer, Sullivan, B., Sullivan, P., Uphegrove, Wallace, Williams, Wood and Mr. Speaker - 57.

Voting nay: Representatives Ahern, Alexander, Anderson, Armstrong, Bailey, Blake, Buri, Chandler, Condotta, Crouse, Curtis, DeBolt, Dunn, Ericksen, Grant, Hailey, Haler, Hankins, Hinkle, Hurst, Kelley, Kretz, Kristiansen, McCune, McDonald, Newhouse, Orcutt, Pearson, Roach, Rodne, Ross, Schindler, Skinner, Strow, Sump, Takko, Van De Wege, Walsh and Warnick - 39.

Excused: Representative Schual-Berke - 1.

Not Voting: Representative Quall - 1.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1359, having received the necessary constitutional majority, was declared passed.

The Speaker assumed the chair.

HOUSE BILL NO. 2335, By Representatives Priest and Miloscia

Exempting certain amateur radio repeaters from leasehold excise taxes.

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

The Speaker stated the question before the House to be the final passage of Substitute House Bill No. 2335.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2335 and the bill passed the House by the following vote: Yeas - 97, Nays - 0, Absent - 0, Excused - 1.

Voting yea: Representatives Ahern, Alexander, Anderson, Appleton, Armstrong, Bailey, Barlow, Blake, Buri, Campbell, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Crouse,

Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eddy, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Goodman, Grant, Green, Haigh, Hailey, Haler, Hankins, Hasegawa, Hinkle, Hudgins, Hunt, Hunter, Hurst, Jarrett, Kagi, Kelley, Kenney, Kessler, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Newhouse, O'Brien, Orcutt, Ormsby, Pearson, Pedersen, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schindler, Seaquist, Sells, Simpson, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Sump, Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, Williams, Wood and Mr. Speaker - 97.

Excused: Representative Schual-Berke - 1.

SUBSTITUTE HOUSE BILL NO. 2335, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2373, By Representatives McCune, Ahern, Kretz, Pearson, Roach and Kenney

Enhancing school bus driver safety.

The bill was read the second time.

With the consent of the House, amendment (158) was withdrawn.

Representative McCune moved the adoption of amendment (226):

On page 3, beginning on line 11, after "notify" strike all material through "revoked" on line 13, and insert "the superintendent of public instruction if a public school bus driver has had a new moving violation, or any court or departmental action has entered on his or her driving record"

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

The amendment was adopted.

Representative Bailey moved the adoption of amendment (183):

On page 5, beginning on line 31, strike all of section 2

Correct the title.

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

Representative Clibborn spoke against the adoption of the amendment.

The amendment was not adopted.

The bill was ordered engrossed.

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

Representatives McCune, Clibborn and Ahern spoke in favor of passage of the bill.

The Speaker stated the question before the House to be the final passage of Engrossed House Bill No. 2373.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 2373 and the bill passed the House by the following vote: Yeas - 97, Nays - 0, Absent - 0, Excused - 1.

Voting yea: Representatives Ahern, Alexander, Anderson, Appleton, Armstrong, Bailey, Barlow, Blake, Buri, Campbell, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eddy, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Goodman, Grant, Green, Haigh, Hailey, Haler, Hankins, Hasegawa, Hinkle, Hudgins, Hunt, Hunter, Hurst, Jarrett, Kagi, Kelley, Kenney, Kessler, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Newhouse, O'Brien, Orcutt, Ormsby, Pearson, Pedersen, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schindler, Seaquist, Sells, Simpson, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Sump, Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, Williams, Wood and Mr. Speaker - 97.

Excused: Representative Schual-Berke - 1.

ENGROSSED HOUSE BILL NO. 2373, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1211, By House Committee on Finance (originally sponsored by Representatives Chase, Morris, Upthegrove, Wallace, Kagi, McCune, Moeller, Dunn, Linville and Morrell)

Providing sales and use tax exemptions for solar hot water components.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1211 was substituted for Substitute House Bill No. 1211 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1211 was read the second time.

With the consent of the House, amendment (123) was withdrawn.

Representative Bailey moved the adoption of amendment (270):

On page 2, beginning on line 8, strike all of section 3

Renumber the remaining section consecutively and correct the title.

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

The amendment 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 Chase and Orcutt spoke in favor of passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1211.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1211 and the bill passed the House by the following vote: Yeas - 96, Nays - 1, Absent - 0, Excused - 1.

Voting yea: Representatives Ahern, Alexander, Appleton, Armstrong, Bailey, Barlow, Blake, Buri, Campbell, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eddy, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Goodman, Grant, Green, Haigh, Hailey, Haler, Hankins, Hasegawa, Hinkle, Hudgins, Hunt, Hunter, Hurst, Jarrett, Kagi, Kelley, Kenney, Kessler, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Newhouse, O'Brien, Orcutt, Ormsby, Pearson, Pedersen, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schindler, Seaquist, Sells, Simpson, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Sump, Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, Williams, Wood and Mr. Speaker - 96.

Voting nay: Representative Anderson - 1.

Excused: Representative Schual-Berke - 1.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1211, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1492, By Representatives Simpson, Campbell, Kirby, VanDeWege, Williams, Chase, Wood and Santos

Using arbitration to resolve disputes regarding certain insurance policies.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1492 was substituted for House Bill No. 1492 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1492 was read the second time.

Representative Roach moved the adoption of amendment (295):

Strike all material after the enacting clause and insert the following:

"**NEW SECTION. Sec 1.** The insurance commissioner shall convene a task force to study the appropriateness and timeliness of payments under the personal injury protection coverage of automobile liability insurance policies. The insurance commissioner shall include representatives from the following groups in the task force: (1) Insurers that sell automobile liability policies; (2) insurance agents and brokers; (3) the Washington state trial lawyers' association; and the Washington defense trial lawyers. The task force must consider the impacts of allowing arbitration of all personal injury protection coverage claims. Among the impacts that must be considered are possible changes in: (1) The average amount to settle a claim; (2) the average time to settle a claim; (3) automobile liability insurance premiums; and (4) the rate of uninsured motorists due to any increase in premiums. The task force may compare the claims payment regulatory framework in Washington with systems used in other states. The task force may make recommendations to the legislature. The commissioner shall compile the findings of the task force in a report to the house insurance financial services, and consumer protection committee and the senate financial institutions and insurance committee by December 1, 2007."

Correct the title.

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

Representative Simpson spoke against the adoption of the amendment.

The amendment was not adopted.

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

Representative Simpson spoke in favor of passage of the bill.

Representative Roach spoke against the passage of the bill.

The Speaker stated the question before the House to be the final passage of Substitute House Bill No. 1492.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1492 and the bill passed the House by the following vote: Yeas - 67, Nays - 30, Absent - 0, Excused - 1.

Voting yea: Representatives Appleton, Barlow, Blake, Campbell, Chase, Clibborn, Cody, Conway, Darneille, Dickerson, Dunshee, Eddy, Eickmeyer, Ericks, Flannigan, Fromhold, Goodman, Grant, Green, Haigh, Hasegawa, Hudgins, Hunt, Hunter, Hurst, Jarrett, Kagi, Kelley, Kenney, Kessler, Kirby, Lantz, Linville, Lovick, McCoy, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, O'Brien, Ormsby, Pedersen, Pettigrew, Priest, Quall, Roberts, Rodne, Rolfes, Santos, Seaquist, Sells, Simpson, Sommers, Springer, Sullivan, B., Sullivan, P., Takko, Upthegrove, Van De Wege, Wallace, Walsh, Williams, Wood and Mr. Speaker - 67.

Voting nay: Representatives Ahern, Alexander, Anderson, Armstrong, Bailey, Buri, Chandler, Condotta, Crouse, Curtis, DeBolt, Dunn, Ericksen, Hailey, Haler, Hankins, Hinkle, Kretz, Kristiansen, McCune, Newhouse, Orcutt, Pearson, Roach, Ross, Schindler, Skinner, Strow, Sump and Warnick - 30.

Excused: Representative Schual-Berke - 1.

SUBSTITUTE HOUSE BILL NO. 1492, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1656, By Representatives Rolfes, Upthegrove, B. Sullivan, Appleton, Chase, Santos, Dickerson and Sells

Establishing the Puget Sound scientific research account.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1656 was substituted for House Bill No. 1656 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1656 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 Wallace and Sump spoke in favor of passage of the bill.

The Speaker stated the question before the House to be the final passage of Second Substitute House Bill No. 1656.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1656 and the bill passed the House by the following vote: Yeas - 97, Nays - 0, Absent - 0, Excused - 1.

Voting yea: Representatives Ahern, Alexander, Anderson, Appleton, Armstrong, Bailey, Barlow, Blake, Buri, Campbell, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eddy, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Goodman, Grant, Green, Haigh, Hailey, Haler, Hankins, Hasegawa, Hinkle, Hudgins, Hunt, Hunter, Hurst, Jarrett, Kagi, Kelley, Kenney, Kessler, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Newhouse, O'Brien, Orcutt, Ormsby, Pearson, Pedersen, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schindler, Seaquist, Sells, Simpson, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Sump, Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, Williams, Wood and Mr. Speaker - 97.

Excused: Representative Schual-Berke - 1.

SECOND SUBSTITUTE HOUSE BILL NO. 1656, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1805, By Representatives Morrell, Lantz, Linville, Wallace, Rodne, Conway, Kessler, Hudgins, Hunt, Chase, Hasegawa, VanDeWege, Campbell, Ericks, Green, Simpson and Schual-Berke

Increasing the homestead exemption amount.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1805 was substituted for House Bill No. 1805 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1805 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 and Rodne spoke in favor of passage of the bill.

Representative Warnick spoke against the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1805.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1805 and the bill passed the House by the following vote: Yeas - 86, Nays - 11, Absent - 0, Excused - 1.

Voting yea: Representatives Ahern, Alexander, Appleton, Armstrong, Bailey, Barlow, Blake, Campbell, Chandler, Chase, Clibborn, Cody, Conway, Crouse, Curtis, Darneille, Dickerson, Dunn, Dunshee, Eddy, Eickmeyer, Ericks, Flannigan, Fromhold, Goodman, Grant, Green, Haigh, Hailey, Haler, Hankins, Hasegawa, Hudgins, Hunt, Hunter, Hurst, Jarrett, Kagi, Kelley, Kenney, Kessler, Kirby, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, O'Brien, Orcutt, Ormsby, Pearson, Pedersen, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Seaquist, Sells, Simpson, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Sump, Takko, Upthegrove, Van De Wege, Wallace, Walsh, Williams, Wood and Mr. Speaker - 86.

Voting nay: Representatives Anderson, Buri, Condotta, DeBolt, Ericksen, Hinkle, Kretz, Kristiansen, Newhouse, Schindler and Warnick - 11.

Excused: Representative Schual-Berke - 1.

SUBSTITUTE HOUSE BILL NO. 1805, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1811, By Representatives Pedersen, Simpson, Wood, Moeller and Quall

Regarding automatic sprinkler systems in nightclubs.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1811 was substituted for House Bill No. 1811 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1811 was read the second time.

Representative Bailey moved the adoption of amendment (273):

On page 4, beginning on line 3, strike all of section 5

Correct the title.

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

Representative Simpson spoke against the adoption of the amendment.

The amendment was not adopted.

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

Representatives Pedersen, Curtis and McIntire spoke in favor of passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 1811.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1811 and the bill passed the House by the following vote: Yeas - 97, Nays - 0, Absent - 0, Excused - 1.

Voting yea: Representatives Ahern, Alexander, Anderson, Appleton, Armstrong, Bailey, Barlow, Blake, Buri, Campbell, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eddy, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Goodman, Grant, Green, Haigh, Hailey, Haler, Hankins, Hasegawa, Hinkle, Hudgins, Hunt, Hunter, Hurst, Jarrett, Kagi, Kelley, Kenney, Kessler, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Newhouse, O'Brien, Orcutt, Ormsby, Pearson, Pedersen, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schindler, Seaquist, Sells, Simpson, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Sump, Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, Williams, Wood and Mr. Speaker - 97.

Excused: Representative Schual-Berke - 1.

SECOND SUBSTITUTE HOUSE BILL NO. 1811, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1826, By Representatives Seaquist, Hinkle, Morrell, Moeller and Ormsby; by request of Department of Social and Health Services

Modifying provisions affecting medical benefits.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1826 was substituted for House Bill No. 1826 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1826 was read the second time.

Representative Bailey moved the adoption of amendment (247):

On page 5, beginning on line 16, strike all of section 5

Correct the title.

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

Representative Cody spoke against the adoption of the amendment.

The amendment was not adopted.

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

Representatives Seaquist and Hinkle spoke in favor of passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1826.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1826 and the bill passed the House by the following vote: Yeas - 97, Nays - 0, Absent - 0, Excused - 1.

Voting yea: Representatives Ahern, Alexander, Anderson, Appleton, Armstrong, Bailey, Barlow, Blake, Buri, Campbell, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eddy, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Goodman, Grant, Green, Haigh, Hailey, Haler, Hankins, Hasegawa, Hinkle, Hudgins, Hunt, Hunter, Hurst, Jarrett, Kagi, Kelley, Kenney, Kessler, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Newhouse, O'Brien,

Orcutt, Ormsby, Pearson, Pedersen, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schindler, Seaquist, Sells, Simpson, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Sump, Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, Williams, Wood and Mr. Speaker - 97.

Excused: Representative Schual-Berke - 1.

SUBSTITUTE HOUSE BILL NO. 1826, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1993, By Representatives Barlow, Curtis, Schual-Berke, Kagi, Cody, Hinkle, Green, B. Sullivan, Eddy, Pettigrew, P. Sullivan, Bailey, Schindler, Dickerson, Morrell, Kenney, Simpson and Ormsby

Modifying credentialing standards for counselors.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1993 was substituted for House Bill No. 1993 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1993 was read the second time.

Representative Cody moved the adoption of amendment (259):

On line 16, line 28, after "first" strike "one hundred" and insert "fifty"

On page 16, after line 30, strike all material through "staff." on line 32

Representatives Cody and Hinkle spoke in favor of the adoption of the amendment.

The amendment was not adopted.

With the consent of the House, amendment (172) was withdrawn.

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 Barlow and Curtis spoke in favor of passage of the bill.

The Speaker stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 1993.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1993 and the bill passed the House by the following vote: Yeas - 94, Nays - 3, Absent - 0, Excused - 1.

Voting yea: Representatives Ahern, Alexander, Appleton, Armstrong, Bailey, Barlow, Blake, Buri, Campbell, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eddy, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Goodman, Grant, Green, Haigh, Hailey, Haler, Hankins, Hasegawa, Hinkle, Hudgins, Hunt, Hunter, Hurst, Jarrett, Kagi, Kelley, Kenney, Kessler, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McIntire, Miloscia, Moeller, Morrell, Morris, Newhouse, O'Brien, Orcutt, Ormsby, Pearson, Pedersen, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schindler, Seaquist, Sells, Simpson, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Sump, Takko, Upthegrove, Wallace, Walsh, Warnick, Williams, Wood and Mr. Speaker - 94.

Voting nay: Representatives Anderson, McDonald and Van De Wege - 3.

Excused: Representative Schual-Berke - 1.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1993, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1418, By Representatives Lovick, Campbell, Lantz, O'Brien, Upthegrove and Williams

Protecting consumers from the keeping of dangerous wild animals.

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

Representative DeBolt spoke against the passage of the bill.

The Speaker stated the question before the House to be the final passage of House Bill No. 1418.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1418 and the bill passed the House by the following vote: Yeas - 63, Nays - 34, Absent - 0, Excused - 1.

Voting yea: Representatives Appleton, Barlow, Campbell, Chase, Clibborn, Cody, Conway, Darneille, Dickerson, Dunshee, Eddy, Eickmeyer, Ericks, Flannigan, Fromhold, Grant, Green, Haigh, Hasegawa, Hinkle, Hudgins, Hunt, Hunter, Hurst, Jarrett, Kagi, Kelley, Kenney, Kessler, Kirby, Lantz, Linville, Lovick, McCoy, McDermott, McIntire, Miloscia, Moeller, Morrell, Morris, O'Brien, Ormsby, Pedersen, Pettigrew, Quall, Roberts, Rodne, Rolfes, Santos, Seaquist, Sells, Simpson, Sommers, Springer, Sullivan, B., Sullivan, P., Takko, Upthegrove, Wallace, Walsh, Williams, Wood and Mr. Speaker - 63.

Voting nay: Representatives Ahern, Alexander, Anderson, Armstrong, Bailey, Blake, Buri, Chandler, Condotta, Crouse, Curtis, DeBolt, Dunn, Ericksen, Goodman, Hailey, Haler, Hankins, Kretz, Kristiansen, McCune, McDonald, Newhouse, Orcutt, Pearson, Priest, Roach, Ross, Schindler, Skinner, Strow, Sump, Van De Wege and Warnick - 34.

Excused: Representative Schual-Berke - 1.

HOUSE BILL NO. 1418, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1508, By Representatives Orcutt, Hunter, Blake, Takko, Condotta and Dunn; by request of Department of Revenue

Providing an exemption from business and occupation tax for the resale of natural or manufactured gas by consumers.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1508 was substituted for House Bill No. 1508 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1508 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 Hunter spoke in favor of passage of the bill.

The Speaker stated the question before the House to be the final passage of Substitute House Bill No. 1508.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1508 and the bill passed the House by the following vote: Yeas - 96, Nays - 1, Absent - 0, Excused - 1.

Voting yea: Representatives Ahern, Alexander, Appleton, Armstrong, Bailey, Barlow, Blake, Buri, Campbell, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eddy, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Goodman, Grant, Green, Haigh, Hailey, Haler, Hankins, Hasegawa, Hinkle, Hudgins, Hunt, Hunter, Hurst, Jarrett, Kagi, Kelley, Kenney, Kessler, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Newhouse, O'Brien, Orcutt, Ormsby, Pearson, Pedersen, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schindler, Seaquist, Sells, Simpson, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Sump, Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, Williams, Wood and Mr. Speaker - 96.

Voting nay: Representative Anderson - 1.

Excused: Representative Schual-Berke - 1.

SUBSTITUTE HOUSE BILL NO. 1508, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2031, By Representatives Eddy and Simpson

Addressing the timing of accrual of property tax revenues.

The bill was read the second time.

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

Representative Eddy spoke in favor of passage of the bill.

The Speaker stated the question before the House to be the final passage of House Bill No. 2031.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2031 and the bill passed the House by the following vote: Yeas - 97, Nays - 0, Absent - 0, Excused - 1.

Voting yea: Representatives Ahern, Alexander, Anderson, Appleton, Armstrong, Bailey, Barlow, Blake, Buri, Campbell, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eddy, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Goodman, Grant, Green, Haigh, Hailey, Haler, Hankins, Hasegawa, Hinkle, Hudgins, Hunt, Hunter, Hurst, Jarrett, Kagi, Kelley, Kenney, Kessler, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire,

Miloscia, Moeller, Morrell, Morris, Newhouse, O'Brien, Orcutt, Ormsby, Pearson, Pedersen, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schindler, Seaquist, Sells, Simpson, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Sump, Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, Williams, Wood and Mr. Speaker - 97.

Excused: Representative Schual-Berke - 1.

HOUSE BILL NO. 2031, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2209, By Representatives Seaquist, Morrell, Curtis, Green, Moeller and Ormsby

Allowing advanced registered nurse practitioners to examine and obtain copies of autopsy reports.

The bill was read the second time.

There being no objection, Substitute House Bill No. 2209 was substituted for House Bill No. 2209 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2209 was read the second time.

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

Representative Seaquist spoke in favor of passage of the bill.

The Speaker stated the question before the House to be the final passage of Substitute House Bill No. 2209.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2209 and the bill passed the House by the following vote: Yeas - 97, Nays - 0, Absent - 0, Excused - 1.

Voting yea: Representatives Ahern, Alexander, Anderson, Appleton, Armstrong, Bailey, Barlow, Blake, Buri, Campbell, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eddy, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Goodman, Grant, Green, Haigh, Hailey, Haler, Hankins, Hasegawa, Hinkle, Hudgins, Hunt, Hunter, Hurst, Jarrett, Kagi, Kelley, Kenney, Kessler, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Newhouse, O'Brien, Orcutt, Ormsby, Pearson, Pedersen, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schindler, Seaquist, Sells, Simpson, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Sump, Takko, Upthegrove, Van De

Wege, Wallace, Walsh, Warnick, Williams, Wood and Mr. Speaker - 97.

Excused: Representative Schual-Berke - 1.

SUBSTITUTE HOUSE BILL NO. 2209, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2220, By Representative Lantz

Regarding shellfish.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 2220 was substituted for House Bill No. 2220 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 2220 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 Lantz and Walsh spoke in favor of passage of the bill.

The Speaker stated the question before the House to be the final passage of Second Substitute House Bill No. 2220.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 2220 and the bill passed the House by the following vote: Yeas - 88, Nays - 9, Absent - 0, Excused - 1.

Voting yea: Representatives Ahern, Appleton, Armstrong, Bailey, Barlow, Blake, Campbell, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Curtis, Darneille, Dickerson, Dunshee, Eddy, Eickmeyer, Ericks, Flannigan, Fromhold, Goodman, Grant, Green, Haigh, Hailey, Haler, Hankins, Hasegawa, Hinkle, Hudgins, Hunt, Hunter, Hurst, Jarrett, Kagi, Kelley, Kenney, Kessler, Kirby, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, O'Brien, Orcutt, Ormsby, Pearson, Pedersen, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schindler, Seaquist, Sells, Simpson, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Sump, Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, Williams, Wood and Mr. Speaker - 88.

Voting nay: Representatives Alexander, Anderson, Buri, DeBolt, Dunn, Ericksen, Kretz, Kristiansen and Newhouse - 9.

Excused: Representative Schual-Berke - 1.

SECOND SUBSTITUTE HOUSE BILL NO. 2220, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2236, By Representatives Goodman and Lantz

Disposing of certain assets.

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

The Speaker stated the question before the House to be the final passage of House Bill No. 2236.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2236 and the bill passed the House by the following vote: Yeas - 97, Nays - 0, Absent - 0, Excused - 1.

Voting yea: Representatives Ahern, Alexander, Anderson, Appleton, Armstrong, Bailey, Barlow, Blake, Buri, Campbell, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eddy, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Goodman, Grant, Green, Haigh, Hailey, Haler, Hankins, Hasegawa, Hinkle, Hudgins, Hunt, Hunter, Hurst, Jarrett, Kagi, Kelley, Kenney, Kessler, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Newhouse, O'Brien, Orcutt, Ormsby, Pearson, Pedersen, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schindler, Seaquist, Sells, Simpson, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Sump, Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, Williams, Wood and Mr. Speaker - 97.

Excused: Representative Schual-Berke - 1.

HOUSE BILL NO. 2236, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2275, By Representatives Kessler, B. Sullivan, Kenney, Chase and Hunt

Regarding funding of state parks.

The bill was read the second time.

There being no objection, Substitute House Bill No. 2275 was substituted for House Bill No. 2275 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2275 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 Kessler and Alexander spoke in favor of passage of the bill.

The Speaker stated the question before the House to be the final passage of Substitute House Bill No. 2275.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2275 and the bill passed the House by the following vote: Yeas - 94, Nays - 3, Absent - 0, Excused - 1.

Voting yea: Representatives Ahern, Alexander, Anderson, Appleton, Armstrong, Bailey, Barlow, Blake, Buri, Campbell, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eddy, Eickmeyer, Ericks, Flannigan, Fromhold, Goodman, Grant, Green, Haigh, Hailey, Haler, Hankins, Hasegawa, Hinkle, Hudgins, Hunt, Hunter, Hurst, Jarrett, Kagi, Kelley, Kenney, Kessler, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Newhouse, O'Brien, Orcutt, Ormsby, Pearson, Pedersen, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Seaquist, Sells, Simpson, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Sump, Takko, Upthegrove, Van De Wege, Wallace, Walsh, Williams, Wood and Mr. Speaker - 94.

Voting nay: Representatives Ericksen, Schindler and Warnick - 3.

Excused: Representative Schual-Berke - 1.

SUBSTITUTE HOUSE BILL NO. 2275, having received the necessary constitutional majority, was declared passed.

STATEMENT FOR THE JOURNAL

I intended to vote YEA on SUBSTITUTE HOUSE BILL NO. 2275.

JUDY WARNICK, 13th District

HOUSE BILL NO. 2292, By Representatives Simpson and Ormsby

Addressing private residential fire sprinklers.

The bill was read the second time.

There being no objection, Substitute House Bill No. 2292 was substituted for House Bill No. 2292 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2292 was read the second time.

With the consent of the House, amendment (260) was withdrawn.

Representative Simpson moved the adoption of amendment (296):

On page 1, beginning on line 7, after "is", strike all material through "services" on line 9, and insert "to research obstacles and barriers to the installation of residential fire sprinkler systems"

On page 1, line 16, after "contractor," strike "and an architect" and insert "an architect, and a residential builder"

Representatives Simpson and Curtis spoke in favor of the adoption of the amendment.

The amendment 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 Simpson and Curtis spoke in favor of passage of the bill.

The Speaker stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 2292.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2292 and the bill passed the House by the following vote: Yeas - 96, Nays - 1, Absent - 0, Excused - 1.

Voting yea: Representatives Ahern, Alexander, Anderson, Appleton, Armstrong, Bailey, Barlow, Blake, Buri, Campbell, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eddy, Eickmeyer, Ericks, Flannigan, Fromhold, Goodman, Grant, Green, Haigh, Hailey, Haler, Hankins, Hasegawa, Hinkle, Hudgins, Hunt, Hunter, Hurst, Jarrett, Kagi, Kelley, Kenney, Kessler, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Newhouse, O'Brien, Orcutt, Ormsby, Pearson, Pedersen, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schindler, Seaquist, Sells, Simpson, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Sump, Takko, Upthegrove, Van De Wege,

Wallace, Walsh, Warnick, Williams, Wood and Mr. Speaker - 96.

Voting nay: Representative Ericksen - 1.

Excused: Representative Schual-Berke - 1.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2292, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2358, By Representatives Rolfes, Strow, Appleton, Seaquist, VanDeWege, Lantz, Flannigan, Roberts, Cody, Green, Eickmeyer, Jarrett and Kessler

Regarding state ferries.

The bill was read the second time.

There being no objection, Substitute House Bill No. 2358 was substituted for House Bill No. 2358 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2358 was read the second time.

Representative Rolfes moved the adoption of amendment (286):

On page 2, line 32, after "When setting the" strike "vehicle"

On page 3, at the end of line 5, strike "capital"

On page 3, at the end of line 9, strike "capital"

On page 3, at the end of line 17, strike "capital"

On page 3, at the end of line 19, strike "capital"

On page 5, beginning on line 8, after "(2)" insert the following: "Beginning in 2008, the fares and pricing strategies developed by the department must:

(a) Consider the feasibility of options for using pricing and operational strategies developed under section 5 of this act to level vehicle peak demand and to increase off-peak ridership;

(b) Recognize the unique characteristics of each route;

(c) Use data from the current survey conducted under section 4 of this act;

(d) Be developed with input from affected ferry users by public hearing, by review with the affected ferry advisory committees, and by other methods of gathering input;

(e) Be developed using data gathered from the survey conducted in section 4 of this act;

(f) Consider all possible cost reductions;

(g) Keep fare schedules as simple as possible;

(h) Consider fair and equitable fares to be charged to passengers, vehicles, and commodities; and

(i) Generate the amount of revenue required by the biennial transportation budget.

(3)"

On page 5, line 14, after "(b)" strike "By October 1st of each year, beginning in 2009" and insert "In October of each year, beginning in 2008"

On page 5, line 17, after "as possible to," strike "October 1st" and insert "the month of October"

On page 5, beginning on line 32, strike all of subsection (6)

Renumber the subsections consecutively and correct any internal references accordingly.

On page 8, line 6, after "required" strike "in the office of financial management's predesign manual" and insert "by the office of financial management"

On page 9, line 3, after "(2)" strike all material through the end of line 5 and insert: "Requests for terminal improvement design or construction funding must be submitted with a predesign study that includes all elements required by the office of financial management."

On page 9, line 13, after "requested by" strike "locals" and insert "local governments"

On page 10, beginning on line 2 strike all of section 14

Renumber the remaining sections. Correct any internal references accordingly. Correct the title.

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

The amendment was adopted. The bill was ordered engrossed.

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

Representatives Rolfes and Strow spoke in favor of passage of the bill.

The Speaker stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 2358.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2358 and the bill passed the House by the following vote: Yeas - 90, Nays - 7, Absent - 0, Excused - 1.

Voting yea: Representatives Ahern, Alexander, Anderson, Appleton, Bailey, Barlow, Blake, Buri, Campbell, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Darneille, Dickerson, Dunshee, Eddy, Eickmeyer, Ericks, Flannigan, Fromhold, Goodman, Grant, Green, Haigh, Hailey, Haler, Hankins, Hasegawa, Hinkle, Hudgins, Hunt, Hunter, Hurst, Jarrett, Kagi, Kelley, Kenney, Kessler, Kirby, Kretz, Lantz,

Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Newhouse, O'Brien, Orcutt, Ormsby, Pearson, Pedersen, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Seaquist, Sells, Simpson, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Sump, Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, Williams, Wood and Mr. Speaker - 90.

Voting nay: Representatives Armstrong, Curtis, DeBolt, Dunn, Ericksen, Kristiansen and Schindler - 7.

Excused: Representative Schual-Berke - 1.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2358, having received the necessary constitutional majority, was declared passed.

HOUSE JOINT MEMORIAL NO. 4001, By Representatives Pearson, Lovick, Kristiansen, Jarrett and Ericks

Naming the 172nd Street overpass of Interstate 5 the "Oliver "Punks" Smith Interchange."

The joint memorial was read the second time.

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

Representatives Pearson and Lovick spoke in favor of passage of the joint memorial.

The Speaker stated the question before the House to be the final passage of House Joint Memorial No. 4001.

ROLL CALL

The Clerk called the roll on the final passage of House Joint Memorial No. 4001 and the joint memorial passed the House by the following vote: Yeas - 97, Nays - 0, Absent - 0, Excused - 1.

Voting yea: Representatives Ahern, Alexander, Anderson, Appleton, Armstrong, Bailey, Barlow, Blake, Buri, Campbell, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eddy, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Goodman, Grant, Green, Haigh, Hailey, Haler, Hankins, Hasegawa, Hinkle, Hudgins, Hunt, Hunter, Hurst, Jarrett, Kagi, Kelley, Kenney, Kessler, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Newhouse, O'Brien, Orcutt, Ormsby, Pearson, Pedersen, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schindler, Seaquist, Sells, Simpson, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Sump, Takko, Upthegrove, Van De

Wege, Wallace, Walsh, Warnick, Williams, Wood and Mr. Speaker - 97.

Excused: Representative Schual-Berke - 1.

HOUSE JOINT MEMORIAL NO. 4001, having received the necessary constitutional majority, was declared passed.

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

REPORTS OF STANDING COMMITTEES

March 10, 2007

HB 1432 Prime Sponsor, Representative P. Sullivan: Granting service credit to educational staff associates for nonschool employment. Reported by Committee on Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute do pass and do not pass the substitute bill by Committee on Education. Signed by Representatives Sommers, Chairman; Dunshee, Vice Chairman; Haler, Assistant Ranking Minority Member; Cody; Conway; Darneille; Dunn; Ericks; Fromhold; Grant; Haigh; Hunt; Hunter; Kagi; Kenney; Kessler; McDermott; McDonald; McIntire; Morrell; Pettigrew; Priest; Schual-Berke; Seaquist; P. Sullivan and Walsh.

MINORITY recommendation: Do not pass. Signed by Representatives Alexander, Ranking Minority Member; Bailey, Assistant Ranking Minority Member; Anderson and Chandler.

March 10, 2007

HB 1573 Prime Sponsor, Representative Quall: Authorizing a statewide program for comprehensive dropout prevention, intervention, and retrieval. Reported by Committee on Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute do pass and do not pass the substitute bill by Committee on Education. Signed by Representatives Sommers, Chairman; Dunshee, Vice Chairman; Haler, Assistant Ranking Minority Member; Cody; Conway; Darneille; Ericks; Fromhold; Grant; Haigh; Hunt; Kagi; Kenney; Kessler; McDermott; McDonald; McIntire; Morrell; Pettigrew; Priest; Seaquist; P. Sullivan and Walsh.

MINORITY recommendation: Do not pass. Signed by Representatives Alexander, Ranking Minority Member; Bailey, Assistant Ranking Minority Member; Anderson; Chandler; Dunn; Hunter and Schual-Berke.

March 10, 2007

HB 2082 Prime Sponsor, Representative Chandler:
Establishing the field of dreams program.
Reported by Committee on Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute do pass and do not pass the substitute bill by Committee on Higher Education. Signed by Representatives Sommers, Chairman; Alexander, Ranking Minority Member; Bailey, Assistant Ranking Minority Member; Anderson; Chandler; Cody; Conway; Dunn; Ericks; Fromhold; Grant; Haigh; Haler; Hunt; Hunter; Kagi; Kenney; Kessler; McDermott; McDonald; McIntire; Morrell; Pettigrew; Priest; Schual-Berke; Seaquist; P. Sullivan and Walsh.

MINORITY recommendation: Do not pass. Signed by Representatives Dunshee, Vice Chairman; Darneille.

March 10, 2007

HB 2327 Prime Sponsor, Representative P. Sullivan:
Regarding a system of standards, instruction, and
assessments for mathematics and science.
Reported by Committee on Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute do pass and do not pass the substitute bill by Committee on Education. Signed by Representatives Sommers, Chairman; Dunshee, Vice Chairman; Haler, Assistant Ranking Minority Member; Anderson; Cody; Conway; Darneille; Ericks; Grant; Hunt; Kagi; Kenney; McDermott; McDonald; McIntire; Morrell; Pettigrew; Priest; Schual-Berke; Seaquist; P. Sullivan and Walsh.

MINORITY recommendation: Do not pass. Signed by Representatives Alexander, Ranking Minority Member; Bailey, Assistant Ranking Minority Member; Chandler; Dunn; Haigh; Hunter and Kessler.

There being no objection, the bills listed on the day's committee reports sheet under the fifth order of business 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 Rules Committee was relieved of HOUSE BILL NO. 1515 and HOUSE BILL NO. 1667, and the bills were placed on the Second Reading calendar.

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

There being no objection, the House adjourned until 10:00 a.m., March 12, 2007, the 64th Day of the Regular Session.

FRANK CHOPP, Speaker

RICHARD NAFZIGER, Chief Clerk

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